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THE
OLIVE BRANCH,
OR
FAULTS ON BOTH SIDES,
FEDERAL AND DEMOCRATIC.
A SERIOUS APPEAL ON THE NECESSITY OF
MUTUAL FORGIVENESS
AND
HARMONY,
TO SAVE
OUR COMMON COUNTRY FROM RUIN.

THIRD EDITION,
GREATLY ENLARGED AND IMPROVED.

BY M. CAREY.
PHILADELPHIA.

"Faction is the madness of the many for the benefit of the few."
"Frenzied be the head—palsied be the hand—that attempts to destroy the union." *Gen. Eaton.*
"Truths would you teach—or save a sinking land :
"All fear—none aid you—and few understand." *Pope.*
"Every kingdom divided against itself is brought to **DESOLATION.**" *Matt. 12, 25.*

BOSTON:
REPRINTED BY ROWE AND HOOPER,

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THE VOICE OF WASHINGTON.

"The unity of government, which constitutes you one people, is dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee, that from different causes, and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress, against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment, that you should properly estimate the immense value of your national union, to your collective and individual happiness; that you should cherish a cordial, habitual and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whoever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alien any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

"All obstructions to the execution of the laws; all combinations and associations, under whatever plausible character, with a real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force—to put in the place of the delegated will of the nation, the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans, digested by common counsels, and modified by mutual interests.

"However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious and unprincipled men will be enabled to subvert the power of the people, and to usurp to themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

"Party spirit serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foment occasionally riot and insurrection; and opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channel of party passions. Thus the policy and will of one country are subjected to the policy and will of another."

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THIS BOOK,
 (AS A MARK OF GRATITUDE FOR
 INESTIMABLE BLESSINGS ENJOYED,
 IN LIBERTY OF PERSON, LIBERTY OF PROPERTY, AND
 LIBERTY OF OPINIONS,
 TO A DEGREE NEVER EXCEEDED IN THE WORLD.)

IS RESPECTFULLY DEDICATED
 TO A BELOVED BUT BLEEDING COUNTRY,
 TORN IN PIECES

BY
 FACTIOUS, DESPERATE, CONVULSIVE, AND
 RUINOUS STRUGGLES FOR POWER.



IT IS LIKEWISE DEDICATED TO THOSE
 MILLIONS OF HUMAN BEINGS,
 WHO NEITHER HOLD NOR SEEK OFFICE,
 BUT WHO ARE MADE THE INSTRUMENTS
 OF THOSE WHO DO SEEK THEM :
 AND WHO, WHILE A FOREIGN ENEMY PRESSES
 AT THEIR DOORS,
 ARE ENFEEBLED, KEPT FROM UNION,
 AND EXPOSED TO RUIN,
 TO GRATIFY THE AMBITION OF
 A FEW MEN,
 (NOT ONE IN FIVE THOUSAND OF THE WHOLE
 COMMUNITY)
 WHO HAVE BROUGHT TO THE VERY VERGE OF DES-
 TRUCTION, THE FAIREST PROSPECT THAT
 EVER SHONE ON ANY NATION.

BY THE AUTHOR.

Nov. 8, 1814.

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GO, OLIVE BRANCH,

**INTO A COMMUNITY, WHICH, DRUGGED INTO
A DEATH-LIKE STUPOR,**

BEHOLDS WITH UNPARALLELED APATHY

THE

**PILLARS OF THE GOVERNMENT TEARING AWAY;
PROPERTY SINKING IN VALUE—**

THE COUNTRY

PROSTRATE AT THE FEET OF A RUTHLESS FOE;

ANARCHY RAPIDLY APPROACHING;

A NUMBER OF AMBITIOUS LEADERS,

REGARDLESS OF THE COMMON DANGER,

STRUGGLING TO SEIZE UPON THE GOVERNMENT,

AND APPARENTLY DETERMINED

THE COUNTRY SHALL GO TO PERDITION,

UNLESS THEY CAN POSSESS THEMSELVES OF POWER;

AND, WITH THIS VIEW, OPPOSING AND DEFEATING

EVERY MEASURE,

CALCULATED TO ENSURE OUR SALVATION.

APPEAL, MY LITTLE BOOK, TO THE PATRIOTISM,

THE HONOUR, THE FEELING, THE SELF-INTEREST

OF YOUR READERS,

TO SAVE A NOBLE NATION FROM IMPENDING RUIN.*

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PREFACE

TO THE FIRST EDITION.

I SUBMIT this little work to my fellow-citizens with an uncommon degree of solicitude and anxiety. The subject it embraces, and the object it has in view, are of inexpressible magnitude. The subject is the present critical situation of the United States, with the causes that have led to that situation; the object, to dissipate party rage and rancour, and restore harmony in the community.

It cannot be any longer doubted that there exists a conspiracy in New-England, among a few of the most wealthy and influential citizens, to effect at every hazard a dissolution of the union, and to form a separate confederacy. This has been asserted by some of our citizens for years, and strenuously denied by others, deceived by the masque the conspirators wore, and their hollow professions. But it requires more than Bæotian stupidity and dulness, to hesitate on the subject after the late extraordinary movements, which cannot possibly have any other object.

It is eighteen years since this dangerous project was promulgated.* From that period to the present, it has not been one hour out of view. And unholy and pernicious as was the end, the means employed were at least equally unholy and pernicious. Falsehood, deception, and calumny, in turn, have been called in to aid the design. The pas-

* In a series of essays, published under the signature of Pelham, in the Connecticut Courant, 1796. See page 253.

sions of the people have been kept in a constant state of the most extravagant excitement. Every act of the government has been placed in the most revolting point of view. To the administration have been unceasingly ascribed the most odious objects, pursued by the most detestable means.

About two-thirds of the papers published in New-England are opposed to the present administration. They are all ex-parte. I think it is doubtful whether a single number of the Centinel, Repertory, Boston Gazette, &c. has been published for years, free from attacks on the administration. And I am pretty well convinced, that attempts at vindication are hardly ever allowed a place. The object steadily, and invariably, and industriously pursued, is to run down the incumbents in office at all events. To this object every thing is made subservient.

On the injustice, the cruelty of this procedure, it is needless to descant. It is treating the highest public functionaries of the country, chosen by the unbiassed suffrages of a free people, worse than we should treat the veriest rascal in society. If he were accused of any crime whatever, his defence would be patiently heard before sentence was pronounced. But our first magistrate, and other public officers, are accused, tried, and condemned, without a possibility of defence.

This is a great and deplorable evil—an evil so inveterate, as to render a remedy almost hopeless. It is hardly possible for any government to stand against such an unjust system. It is pregnant with the most awful consequences to society.

I am not to be told, that there are many papers devoted to the defence of the government as well as to run it down. This I well know; but this does not remove the danger. Such is the folly of the times, that the mass of our citizens confine themselves to those papers calculated to strengthen their prejudices. They rarely read defences if any appear. And thus it is not surprising that those prejudices become daily more and more inveterate—and that through the address and industry of artful men, they are prepared to overturn that Constitution, to whose abuse and perversion they ascribe all those sufferings which have really flowed from the rapacity and injustice of the belligerents.

Besides the party in New-England, who are determined on a separation of the States for their own aggrandizement

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—there is one in the middle States equally dangerous. They are daily engaged in preparing the public mind for seizing the reins of government by violence, and expelling the public functionaries.

With these gentlemen, it is a favorite idea “to send the President to Elba,” and supply his place with one of their own friends, and thus save the people the necessity of another election. Mr. Barent Gardenier, of New-York, and a few violent men in Congress, are the most active of this party. All their talents and industry are devoted to this vile purpose.

This (blood and murder—lanterns and guillotines apart)—is as revolutionary, as disorganizing, as jacobinical a project as any of those of Danton, Legendre, Marat, Petion, or Robespierre, in the early stages of the French revolution. And, reader, “*lay not the fluttering unction to your soul,*” that we shall in this event escape bloodshed. It is as impossible that such a flagitious project should be carried into operation, without torrents of blood being shed, as that you can tear away the foundations on which a mighty edifice rests, without the edifice itself crumbling to ruins; or that you can remove the dykes which oppose the progress of a vast body of water, and not have the adjacent country overflowed.

With Mr. Gardenier, it is a favourite phrase, that, “*the present administration must come down.*” This is tolerably explicit. It is impossible to mistake the intention or the mode of effecting it. The latter is very simple. History furnishes numerous examples. It is the mode by which Cromwell expelled the Rump Parliament, and seized the reins of government himself. It is the mode by which, after the Rubicon was passed, Julius Cæsar rose to power on the ruins of the Commonwealth. And, to come to a later period, it is the mode whereby Bonaparte made himself master of the destinies of France.

But, Mr. Gardenier, we are not ripe for that project yet. Can you, or general Wharton, who has given the toast—“James Madison, on the island of Elba”—can you, I say, be mad enough to believe that the hardy yeomanry of New York, New Jersey, or Pennsylvania, will submit to allow any band of desperadoes with impunity to tear the highest public functionaries of the nation from their seats—men

chosen in strict conformity with the terms of the social compact?

If you flatter yourself with any such pleasing delusions, awake, and shake off the mighty error. Rely upon it, that those who may make the sacrilegious attempt will, with their deluded followers, suffer condign punishment as traitors.

The United States have for a considerable time past exhibited a spectacle of the most extraordinary kind, and almost unique in the history of the world.

Our form of government has probably but one material defect. It wants a due degree of energy, particularly pending war. If it were free from this, it might last as long as the Roman government.

This defect must be a subject of deep and serious regret to all good men, not merely our cotemporaries or countrymen, but to those in future times and distant countries, who may feel an interest in the happiness of their fellow men. In perusing history, we lament the errors of our ancestors—ours will be a subject of lamentation to our posterity.

Taking into consideration this serious defect in the frame of our government, it is the duty of all good citizens to uphold and support it. But all considerations of duty apart, mere selfishness ought to prompt all men who have any interest in the welfare of the country, who have any thing to lose by convulsions, and tumults, and confusion, and anarchy, to cling to and uphold the government, whereby they are protected in the enjoyment of all the blessings of life.

But it is awful to relate, and is without precedent, that a large proportion of the wealthiest men in the community have been as sedulously employed in tearing down the pillars of the government—in throwing every obstacle, and difficulty, and embarrassment in the way of its administrators, as if it were a government equally oppressive with that of Algiers or Turkey, or as if they could derive advantage from anarchy. Should they be cursed with final success in their endeavours, they and their posterity will mourn the consequences.

The national vessel is on rocks and quicksands, and in danger of shipwreck. There is, moreover, a larger and more formidable vessel preparing all possible means for her destruction. Yet, instead of efforts to extricate her, the

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crew are distracted by a dispute how she came into that situation. The grand and only object with a part of them, is to get the helm in their own hands—and rather than not succeed, they are resolved she shall go to perdition. This party swears all the danger and difficulty are owing to the imbecility, the corruption, the madness or the folly of the pilot, whom they threaten "*with a halter,*" or to put him ashore "*on the Island of Elba.*" The others swear with equal vehemence, that the refractory, turbulent, and factious spirit of the mutinous part of the crew has run the vessel aground. They are accordingly determined to defend the pilot. A few individuals, who see that both parties had contributed to produce this calamitous event, in vain hold out "*the Olive Branch,*" and implore them to suspend all inquiries as to the cause of danger till the ship is righted. It is in vain. While the parties are more and more inflamed against each other, the vessel bulges on a sharp rock—down she goes—pilot—and supporters—and mutineers—and peace makers—all in one common destruction.

This, I am fearful, will be our fate. It may be prevented. All that is necessary is, for a few influential men in the different States to step forward—bury the hatchet—lay aside all minor considerations while the vessel of state is in danger. This policy is so obviously just, that fifty individuals throughout the union setting the example, would have sufficient efficacy to arouse the nation to a sense of their danger, and thus accomplish the blessed object of saving their country.

Will the Clarksons, the Rays, the Ludlows, the Remsens, the Ogdens, the Pearsalls, the Lenoxes, the Harrisons, the Lawrences, the M'Cormicks, of New-York—the Willings, the Francisces, the Norrises, the Biddles, the Latimers, the Tilghmans, the Walns, the Ralstons, the Lewises, of Philadelphia—the Gilmors, the Olivers, the Sterets, the Howards, the Smiths, the Bryces, the Grahams, the Cookes of Baltimore—and other such estimable federalists throughout the Union, continue to regard with apathy the dangers of their country, and not make a bold and decisive stand to rescue her? No. It cannot be. Heaven has not, I hope, so far blotted us out of its favorable remembrance, as to give us up to such a frightful destiny. It will at this late hour interpose for our salvation, and dispel the horrible

mists of passion and prejudice—of madness and folly—which intercept from our view the abyss that yawns before us, ready to swallow us up in remediless destruction.

In England, the opposition to the ministry is always violent, and, like the opposition here, is too generally directed against *all the measures of government*, whether meritorious or otherwise. But there is in parliament a substantial *country party*, which occasionally votes with the minister, and occasionally with the opposition—supporting or opposing measures as conscience dictates.

It is a most unfortunate fact, that in Congress the number of members of this description is *very small*. That body may be generally classed into federalists and democrats, who too frequently vote in solid columns. There are, I grant, laudable exceptions. But they are too rare.

This is one of the worst features in the situation of the country. The indiscriminate adherence to party, and uniform support of party arrangements, *encourage the leaders to proceed to extremities*, and to adopt violent and pernicious measures, which the good sense of their followers may reprobate but from which they have not *fortitude enough to withhold their support*. This has been in all countries the most frightful of the consequences of the unholy and deleterious spirit of faction. Men, originally of the purest hearts and best intentions, are, by this *ignis fatuus*, gradually corrupted; and led, step by step, to unite in acts at which, they would at the commencement of their career, have recoiled with horror and affright. I believe it is a sound political maxim, that a *thoroughgoing party-man never was a perfectly honest politician*; for there hardly ever yet was a party free from errors and crimes, more or less gross, in exact proportion to the folly or the wickedness of its leaders.

The Jews, when besieged by Titus, within the walls of their metropolis, availed themselves of the cessation of hostile attacks on the part of their external enemies, to glut their vengeance, and malice, and factious spirit, by butchering each other—and thus both parties became an easy prey to the invaders. To this deplorable pitch of madness *we have not yet arrived*. But that we have hitherto escaped this calamity, is not for want of industry on the part of some persons who are unceasingly employed as incendiaries

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in blowing up the flames of discord, and preparing us for similar scenes. The cool, and calm, and temperate part of the community appear torpid and languid, and take no steps to avert the awful catastrophe. Let them awake from their slumbers soon; or at no distant day, the evil may be remediless, and they will in vain mourn over their folly.

I believe Mr. Madison perfectly upright; that his administration of the government has been conducted with as pure intentions, as ever actuated a first magistrate of any country; and that lord Chatham or the great Sully would have found it a very arduous task to manage the helm under the difficulties, external and internal, that he has had to contend with. But if it were a question that related wholly to Mr. Madison or his administration, I should never have trespassed on the public. Were Mr. Madison as patriotic as Curtius, or the Decii, who grace the Roman story—and as immaculate as an archangel—nay, were all the heroes and statesmen of the revolution restored to life, and entrusted with the administration—I should consider their honour, their interests, their happiness, or their safety, as dust in the balance compared with the salvation of eight millions of people.

It is difficult to conceive an object more worthy of the efforts of an ardent mind. A review of history will convince any reasonable or candid person, that there never was, and indubitably there is not at present a more interesting portion of the human species, than the inhabitants of the United States. There never was a nation in which all the solid blessings and comforts of life were more fully enjoyed than they are here, and where they were secured by such slender sacrifices. I am not so blind an admirer of the nation as not to see that it has defects. There never was a nation or individual free from them. But take all the leading points that give assurance of happiness, and afford the necessary indications of respectability—and at no period can there be found a nation standing on more elevated ground.

The former points of difference between the federalists and democrats have lost nearly all their consequence. They are merged in objects of incomparable higher moment. Evils of incalculable magnitude menace us. A powerful enemy, flushed with success, and with superabundant means

of annoyance, hovers on our coasts, and by his formidable navy, is enabled to inflict on us deep and lasting injury. And what is pregnant with more terror by far, instead of aiding to extricate us from this perilous situation, the opportunity of a season of difficulty and danger is seized on to dissolve the union, to raise up hostile and jarring confederacies, to destroy the hopes mankind have formed of our noble governmental experiment.

To continue disputing about the minor points that have divided the parties heretofore, would be madness. How superlative would be the folly and absurdity of two men, fighting about the interior decorations and arrangements of an edifice, and regardless of the operations of two others, one of whom was undermining and preparing to blow it up in the air, and the other providing a torch to set it on fire? A strait jacket would be too slender a restraint for them. Such is the folly and madness of those democrats and federalists, who continue their warfare about the mode of administering the constitution, or the persons by whom it shall be administered, at a time when the constitution itself is in danger of being destroyed root and branch.



The plan of this work may require some short explanation. I believe the country to be in imminent danger of a convulsion, whereof the human mind cannot calculate the consequences. The nation is divided into two hostile parties, whose animosity towards each other is daily increased by inflammatory publications. Each charges the other with the guilt of having produced the present alarming state of affairs. In private life, when two individuals quarrel, and each believes the other wholly wrong, a reconciliation is hardly practicable. But when they can be convinced that the errors are mutual—as is almost universally the case—

they open their ears to the voice of reason, and are willing to meet each other half way. A maxim, sound in private affairs, is equally unsound in public life. While a violent federalist believes all the evils of the present state of things have arisen from the guilt of the administration, nothing less will satisfy him than hurling Mr. Madison from the seat of government, and sending him to Elba. While, on the other hand, a violent democrat persuades himself that all our evils have arisen from the difficulties and embarrassments constantly and steadily thrown in the way of the administration by the federalists, he is utterly averse to any compromise. Each looks down upon the other with scorn and hatred, as the Pharisee in the gospel upon the Publican. I have endeavoured to prove, and I believe I have fully proved, that each party has a heavy debt of error, and folly, and guilt, to answer for to their injured country, and to posterity—and, as I have stated in the body of this work, that mutual forgiveness is no more than an act of justice—and can lay no claim to the character of liberality on either side.

But even supposing for a moment—what probably hardly ever occurred, since the world was formed—that the error is all on one side, is it less insane for the other to increase the difficulty of extrication—to refuse its aid—to embarrass those who have the management of our affairs? My house is on fire. Instead of calling for aid—or providing fire-engines—or endeavouring to smother the flames—I institute an inquiry how it took fire—whether by accident or design—and if by design, who was the incendiary; and further undertake to punish him for his wickedness! a most wise and wonderful procedure—and just on a level with the wisdom, and patriotism, and public spirit of those sapient members of Congress, who spend days in making long speeches, every idea whereof has been a hundred, perhaps a thousand times repeated in the newspapers, upon the causes of the war, and the errors of its management, instead of meeting the pressing and imperious necessity of the emergency.

I claim but one merit in this production, and that is by no means inconsiderable. It is, that with a perfect knowledge of the furious, remorseless, never-dying, and cut-throat hostility, with which Faction in all ages has persecuted those who have dared oppose her—and perfectly satisfied, that with us she is as implacable, as malignant, and as inexorable a monster as she has ever been, I have dared, nevertheless, to state the truth, regardless of the consequences. I was, it is true, considerably reluctant. I should have preferred by far, for the remainder of my life, steering clear of the quick-sands of politics. None of the questions that have heretofore divided parties in this country could have induced me to venture upon the tempestuous ocean. But at a crisis like the present, neutrality would be guilt. The question now is between the friends of social order, and jacobins, who are endeavouring to destroy the whole fabric of government, with the slender chance of building it up again—between peace and harmony on one side, and civil war and anarchy on the other. A lamentable delusion prevails. The community shut their eyes against the truth on the subject. But this is the real state of the case, or I am as grossly deceived as ever was human being. And unless some of our influential men exert themselves to allay the storm, a few short months will exchange doubt into awful and dreadful certainty.

While I was deliberating about the sacrifice which such a publication as this requires, one serious and affecting consideration removed my doubts, and decided my conduct. Seeing thousands of the flower of our population—to whom the spring of life just opens with all its joys, and pleasures, and enchantments—prepared in the tented field to risk, and if necessary, sacrifice their lives, for their country's welfare; I thought it would be baseness in me, whose sun has long passed the meridian, and on whom the attractions of life have ceased to operate with their early fascinations, to have declined any risk that might arise from the effort to ward off the parricidal stroke aimed at a country to which I owe such heavy obligations. With this view of the subject I could not decide otherwise than I have done.

On the execution of the work it behoves me to offer a few remarks. I know it is very considerably imperfect. It is hardly possible to prepare any book under greater disadvantages than have attended the Olive Branch. A large

portion of it is, therefore, crude, and indigested and without order. Were it a treatise on morals, religion, history, or science, which could not suffer by the delay necessary to mature and methodize it, I should be unpardonable, and deserve the severest castigation of criticism, for presenting it to the public in this unfinished state. But the exigencies of the times are so pressing, that were it delayed till I could digest it properly, it might be wholly out of season.

It would be unjust were I not to acknowledge the numerous and weighty obligations I owe to the 'Weekly Register,' edited by H. Niles, the best periodical work ever published in America, from which I have drawn a large portion of the facts and documents which I have employed. I venture to assert that no American library can be complete without this publication.

I have carefully studied to be correct in point of fact and argument. But the circumstances under which I have written, render it probable that I may have fallen into errors. I shall therefore regard it as a most particular favour, if any gentleman who discovers them, however minute, they may be, will frankly point them out, and they shall be most cheerfully corrected. If of sufficient importance, I shall make a public acknowledgement in the newspapers. If the cause I espouse cannot be supported by truth, candour, and fair argument, may it perish, never to find another advocate!

Philadelphia, Nov. 8, 1814.

PREFACE

TO THE SECOND EDITION.

Philadelphia, January 4, 1815.

THE unequivocal and decided approbation with which the former edition of this work has been favoured, by respectable men of both the hostile parties that divide this country, I regard as among the most grateful circumstances of my life. Its numerous defects—its want of method—and the great imperfection of its style and manner—were, I presume, regarded as atoned for by its obvious and undeniable object—the object of contributing my feeble efforts towards allaying the effervescence, the turbulence, the animosity that pervade the community, and are pregnant with such alarming consequences.

Of the time that has elapsed since its first appearance, I have availed myself, to amplify—to methodise—and to improve it. And although I am very far indeed from presuming it to be perfect, yet I hope it will be found more entitled to patronage than it was in its original dishabille.

It embraces a very convulsed period of our history; and has been written under no common disadvantages. I have laboured under a great deficiency of various materials and documents, which no exertions have enabled me to procure—and it has been begun, carried on, and completed in moments constantly subject to those interruptions inevitable in the pressure of business. To suppose, then, it were perfect, would argue a degree of insanity which the fondest and

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most doting delirium of paternal vanity could hardly palliate. It would be a case unparalleled in the annals of literature. The world has had numerous instances of men of most splendid talents—of laborious research—with abundant materials and documents—enjoying full leisure to do justice to their subjects—and employing years for the purpose—yet falling into egregious errors. It could not then be expected that a work embracing such a variety of objects, and written under the very disadvantageous circumstances I have stated, should be free from them. But the reader may rest assured that whatever they may be, they have not resulted from design. They are the offspring of slenderness of talents—deficiency of materials—inadvertence—or that bias to which all men are subject, in a greater or less degree, when treating on subjects wherein they feel deeply interested. Of the latter, however, I have laboured to divest myself.

Had I written with any view to literary reputation, the work would have made a totally different appearance. Instead of presenting the reader with so many documents verbatim, I should, as is usual have given abstracts of them in my own words—and thus formed a regular, connected narrative of events, far more agreeable to read, than the work in its present form, and rather easier to write. The reader may rest assured, that I have written three pages in less time than I employed in search for a single document, which does not occupy one, and whereof I knew enough to give an analysis of it. And long, laborious searches for document or newspaper paragraphs, or essays, have not unfrequently been wholly in vain.

But though a thirst for literary reputation is far from illaudable—and though it inspires to great exertions, and has been the honoured parent of some of the most stupendous efforts of the human mind—it has not had the slightest influence on me in this case. It would be utterly unavailing to counteract the loathing, the abhorrence I felt for entering into political discussion, or for making myself once more an object of newspaper assault, of which few men in private life have been honoured with a greater share.

No. I appeal to heaven for the truth of what I now declare. I soared to higher objects, far beyond such narrow views. I believed—I still believe—that a dissolution of the union is contemplated by a few ambitious and wicked men ;

that in the state of excitement to which the public mind is raised, and which is hourly increasing by the most profligate disregard of truth and of the welfare of the country---and by the utmost prostitution of talents, a mere trifle would suffice to produce a convulsion---(as, when you have collected together a quantity of highly combustible materials, a single spark suffices to produce a conflagration,)---that a dissolution of the union will infallibly produce a civil war; that in the event of a civil war, there will be a struggle throughout the country for the ascendancy, wherein will be perpetrated atrocities similar to those which disgraced the French revolution; that even if we should be so fortunate as to escape a civil war, or, (if we should not) after its termination, and the establishment of separate confederacies, the country will be cursed with a constant border war, fomented by the nations of Europe, to whom we shall be a sport and a prey; and that, in one word, a nation most highly favoured by heaven, is on the very verge of perdition.

These views may be erroneous. They differ from those of most of my friends. The mass of the community, moreover, do not accord with them. But they are unalterably impressed upon my mind. I cannot shake them off. They are all supported by the instructive, but neglected voice of history. I possess not the happy faculty with which so many are endowed. I cannot believe an event will not take place, because I hope and pray it may not. I am disposed to envy those who are thus gifted. It diminishes the hours of suffering. In a life so chequered as ours, this is some advantage. But it has, like all other blessings, a counterpoising evil. When we disbelieve in the approach of danger, we make no preparations to repel it.

With these impressions I preferred risking any consequences, however pernicious to myself, that might arise from the present address, to a state of torpor and inactivity---to perishing without an effort. In a sanguine moment, I indulged the flattering, the fond, (pray heaven it may not be, the delusive) hope that my efforts might be so far crowned with success, as to make me the blessed, the happy instrument of arousing even one, two, or three influential active citizens from the morbid, the lethargic slumber, into which the community has been so fatally lulled; that these might arouse others; and that thus the potent spells might be dissolved, which, in a manner unexampled in the history

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of the world, make us regard with stupid, torpid apathy and indifference, the actual bankruptcy of our government (produced by a most daring conspiracy)—the impending destruction of our glorious Constitution, the work of Washington, Franklin, Livingston, Hamilton, Jay, &c. the depreciation of every species of property—and the approaching ruin of our country. Should heaven thus bless me, die afterwards when I may, I shall not have lived in vain. Should I fail, on my tombstone shall be graven, “*magnis excidit ausis.*”

M. C.

P. S. I take this opportunity of stating the neglect my applications for public documents and papers of various kinds have experienced at Washington and elsewhere. Some of the gentlemen (if such conduct do not bar the title, to whom I applied, have not condescended to answer my letters. And of the whole at Washington not one furnished me with a single communication, except the attorney general, Richard Rush, Esq. from whom I received valuable tables of exports, to fill up the chasm in my former edition—and likewise some of the journals of Congress. For these I tender my thanks. Had other gentlemen been equally attentive, the work would have been considerably improved. To the valuable collection of pamphlets in the possession of Mr. Duponceau, I have had access. And a gentleman in Boston furnished me with a number of very important extracts, from the *Gazette and Centinel*, published there. Except in these three instances, I have been almost as utterly unaided as if I lived on Robinson Crusoe's island, or were investigating the genealogy of the Grand Lama—or the wars of the Titans against Jupiter. Such is the wretched apathy that prevails respecting our public affairs!

Extract from Governor Strong's speech, 17th January, 1806.

Changes in the constitution of government are more injurious than in the system of laws: even a small innovation may destroy its principles. The framers of the constitution had before them not only the forms which had been preferred by the several states; but those also, which, before that time, had been devised in other ages and nations. And though the repeated experiments which have since taken place in Europe, may suggest matter for warning, they afford nothing for imitation. If, notwithstanding, it is found by experience, that the constitution operates very unequally, or the construction of any part is doubtful, amendments may be necessary to alter or explain it. But it is in vain to expect that all will be satisfied—Free governments admit of an endless variety of modifications; and the opinions entertained of their respective merits are equally various. When the constitution was established, perhaps no man that became subject to it was perfectly pleased with every part. It was the result of mutual concession: and such, indeed, must always be the case, when a form of government is voluntarily accepted by a community.

In the minds of some men, there seems to be a restlessness, which renders them dissatisfied with any uniform course of things, and makes them eager in the pursuit of novelty. They abound in projects, and are ever meditating some fanciful change in the plan of government, which their imaginations represent as useful. But men of great ambition are still more dangerous; they commonly make the fairest pretences to principles, though they are actuated only by self interest.—If the constitution or laws of their country present obstacles to the accomplishment of their wishes, they employ every artifice to alter or abolish them; and if individuals oppose their attempts, they are equally artful and solicitous to destroy their influence and render them odious to their fellow citizens.

Few men, even in a prosperous community, are fully satisfied with their condition. A great part are easily induced to believe, that there is something wrong in the government or laws, which might be rectified to their advantage. They therefore readily embrace any specious proposal to effect an alteration. The crafty and ambitious know how to avail themselves of this disposition to change, and encourage their followers to expect that the amendments they propose will perfectly suit their case, and produce the very blessings they wish: in this way they not only effect their immediate object, but acquire an influence which enables them afterwards to accomplish the most disastrous innovations. Such persons encourage hopes that can never be realized, and excite complaints which the most wise and benevolent administration is unable to remove.

Our forms of government are doubtless like all other human institutions, imperfect; but they will insure the blessings of freedom to the citizens, and preserve their tranquility, as long as they are virtuous; and no constitution that has been or can be formed will secure those blessings to a depraved and vicious people."

Extract

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Extract from the answer of the Massachusetts Senate to the Governor's Speech of 17th January, 1806

"We shall look with a still more cautious eye upon every innovation attempted to be made upon our national constitution. The integrity, experience, and extensive information discovered by the illustrious characters who framed that valuable instrument and the series of public prosperity enjoyed under it, intitle it to our highest veneration; its excellence appears with still greater lustre, when compared with the ephemeral constitutions of many nations which have flitted across the eye in rapid succession, and then sunk into total oblivion. We are not insensible, that our form of government must be imperfect, as was the nature of its authors: but we recollect, at the same time, that *any proposed alteration under the name of amendment is liable to the same imperfection.*

"Believing therefore that *the principles of the constitution are as well adjusted as human infirmity will permit, and that a small innovation may essentially pervert its original tendency* we shall exert ourselves to preserve it in its *present form*, except in cases where its operation shall be found extremely unequal and oppressive."

I offer these great and solemn truths to the consideration of all who have an interest in the welfare of their country.

I. *A separation of the States cannot be effected without an immediate CIVIL, and an almost continual BORDER WAR; and it must ineviatably place us at the mercy of England, and make this Country the sport of the European Powers at all future times.*

II. *As well might we expect to re-unite, without flaw, the fragments of an elegant porcelain vase, shattered to pieces, as to restore the Union, if dissolved but for one hour.*

III. *A period of war, and invasion, and danger, is utterly unfit for repairing or amending a Constitution. Nothing but convulsion can arise out of the attempt.*

IV. *General Washington, in his last legacy, one of the noblest efforts of human wisdom, impressively urged his countrymen to frown indignantly upon any attempt to impair or dissolve the Union*

V. *To hostile European Powers, a dissolution would be of immense and incalculable advantage.*

VI. *It would be inexpressible folly and madness to reject the policy dictated by Washington, and follow that which*

would be dictated by those Powers of Europe who regard our prosperity with jealousy.

Two measures respectfully submitted for removing the existing dangers and difficulties.

I. To introduce two respectable federalists, of commanding talents and influence, and of decided attachment to the Union, into the administration, among the heads of departments.

II. To form Union Societies throughout the nation, whose sole object shall be to guard against a separation of the States.

PLAN OF AN UNION SOCIETY,

Such as is contemplated above.

"Above all things hold dear your national union. Accustom yourselves to estimate its infinite value to your individual and national happiness. Look on it as the palladium of your tranquility at home; of your peace abroad; of your safety; of your prosperity; and even of that liberty which you so highly prize."

WASHINGTON'S FAREWELL ADDRESS.

WHEREAS many disaffected citizens have long labored to prepare the public mind for a dissolution of the Union, and the formation of separate confederacies; and whereas they have at length publicly and daringly avowed their flagitious designs; and whereas the experience of all history to the present time affords the most complete proof that such dissolutions of existing forms of government, and the formation of new ones, have almost invariably produced bloody civil wars, the greatest curse that ever afflicted mankind; and whereas the present form of the general government, if duly supported by our citizens, is calculated to produce as high a degree of happiness as has ever fallen to the lot of any nation; and whereas the separate confederacies, contemplated as substitutes for the present general confederacy, even if it were possible to establish them peaceably, would be pregnant with interminable future wars, such as have almost constantly prevailed between neighboring States with rival interests, real or supposed, and would hold out every possible inducement, and every desirable facility to foreign nations, to array each against the other, and thus subjugate the whole, or at least render them dependent upon, or subservient to those foreign nations:

and whereas, finally, it would be absolute madness to throw away the incalculable blessings we enjoy, for the mere chance of bettering our condition, and still more for the absolute certainty of rendering it much worse :

Therefore *resolved*, that we the subscribers do associate under the title of the WASHINGTON UNION SOCIETY, of which the following is the

CONSTITUTION.

I. We solemnly pledge ourselves to support by every honorable and legal means in our power the existing form of the general government.

II. That we will use our utmost endeavors to counteract as far as in our power, all plots for the dissolution of the Union.

III. That we will correspond and cheerfully co-operate with all individuals, and bodies of men, in all parts of the Union, who may have the same views with us on the object embraced in the second article, however they may differ from us on other political topics.

IV That the officers of the society shall be a president, vice-president, secretary, treasurer, committee of correspondence, and committee of elections.

V. That it shall be the duty of the committee of correspondence to invite the good citizens of this State, and of the other States, to form similar Societies, and to correspond with them ; to investigate and expose to public abhorrence, the various plans that have been adopted from time to time, to effect the parricidal purpose of dissolving the Union ; to place in the strongest point of light the advantages of our blessed form of government, with the tremendous consequences of civil war, and (the inevitable result of a separation) our being instruments in the hands of the great Powers of Europe to annoy, ravage, depopulate, slaughter and destroy each other.

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THE
OLIVE BRANCH:
OR
FAULTS ON BOTH SIDES.

CHAPTER I.

Critical situation of the United States. Dangers of parties and factions. Similarity of our situation to that of France, Italy and England, previous to their civil wars. To excite insurrection easy. To allay it difficult. Dangerous tendency of inflammatory publications.

THE situation of the United States is at the present moment highly critical. Party and faction, the bane and destruction of all the old republics,* are carried to such extravagant lengths, as to endanger the public tranquillity—and perhaps lead to civil war, the greatest scourge that ever afflicted mankind. Unceasing efforts

* An idea has been propagated by superficial writers, and pretty universally believed by superficial readers, that party and faction are peculiar to republics. Never was there a greater error. There is hardly a body of men, how small or insignificant soever, that is not disturbed more or less by party and faction. Within the last ten years, one half, at least, of the religious congregations in Philadelphia, have been distracted by discord, which, in more instances than one, have been carried to the extreme length of absolute separation. And, to mount higher, who can forget the violent factions at the commencement of the reign of George III. when England was on the

are and have been used to excite our citizens to open resistance to government.* This has principally taken place in the eastern states; but there is hardly a portion of the union in which there are not persons constantly employed in inflaming the public mind, and preparing it for commotions.* Thousands and tens of thousands of citizens, upright, honest and honourable in private life, have been so deluded by the madness of party as to believe, that the defeat, the disgrace and the disasters of our armies†—the destruction of the public credit*—(as leading to the expulsion from their stations of the highest public functionaries duly chosen by the people)—were all “a consummation devoutly to be wished”—and the certain means of procuring a speedy and an honourable peace, which we could not fail to secure, from the magnanimity of Great Britain, provided we removed those public officers, whom, according to them, she has so much reason to execrate.

very verge of insurrection—and let me add the religious crusade of lord George Gordon, which was the offspring of faction, and terminated in enkindling thirty-six fires at once in London—of which city the mob had undisturbed possession for several days. All the felons, and other tenants of the prisons had their chains knocked off, and were let loose once more to prey on the public. The enumeration were endless. Let this slight sketch suffice.

* These topics will be fully discussed in specific chapters at the close of this work.

† To some of my readers this will seem impossible. It certainly appears incredible. But there are many things very incredible, that are nevertheless true. And it is capable of proof, that gentlemen, highly estimable in private life, have thanked God most fervently for the disgraceful capture of our armies; others have prayed to God that every one of our soldiers who entered Canada, might be slaughtered. This is one of the many strange and unaccountable instances in which our history is utterly unlike the histories of the other nations of the earth. It is really a *sui generis*. I feel pretty confident that no man of character or worth in England ever rejoices at the disgrace or disasters of his country. But I blush to tell it, the disgrace of our armies has been repeatedly a subject of as much exultation in our coffee houses and our newspapers, as in the city of London. I could name individuals of the utmost worth in all the social relations, *except that which they bear to their country*, whose satisfaction at the distresses and embarrassments of the government at least equalled that of lord Castlereagh.

It is in vain that the uniform voice of history proclaims that the generosity of nations towards each other is a non-entity ; that the terms of a treaty will be more or less favorable or injurious in proportion to the relative strength of the parties ; that powerful nations have always taken advantage of the feebleness of their adversaries ; and that the certain road to a speedy and an honorable peace has ever been to wage war *totis viribus*.

Were history wholly silent on these topics, the inherent propensities of human nature, properly explored, might satisfy every rational mind of the soundness of those political maxims. They are fair deductions of reason and common sense, to which the universal experience of mankind bears testimony. Every nation in its periods of debility has been obliged occasionally to submit to injustice. Every nation possessing the power to do injustice, has more or less availed itself of the opportunity.

I am not ignorant, that my fears of civil war are regarded as visionary, as the wild effusions of a disordered brain. I find myself in a small minority. And if the correctness of opinions were to be tested by the numbers who entertain them, mine would be most miserably erroneous. But this is a conclusion not warranted by history. It has been a thousand times said, and will be as often repeated, that the people of the United States are too enlightened to fall into such a fatal error ; that they know too well the value of the blessings they enjoy, to sacrifice them so absurdly. Such a delusion was pardonable a few years back. But our recent, stupendous follies must have wholly dispelled it. We have displayed, in many cases, nearly as much insanity as the history of any nation exhibits.

Danger is not diminished by shutting our eyes against its approach, or by denying its existence. This would be a cheap price to pay for security. But it is not to be purchased thus. And those who seriously weigh the

causes that led to the civil wars which desolated France, under the house of Valois ; England under Charles I. ; and Italy for entire centuries, with hardly any intermission ; will have reason to believe that our security is very far from being as well founded as is generally supposed. In many points of view, our situation and our proceedings bear a strong analogy to those of the three nations to which I have referred, immediately previous to their respective civil wars. Whoever reads Davila's history of France, Machiavel's history of Florence, or Clarendon's history of the rebellion under Charles I. with due attention, will be astonished at the near resemblance.

The difference between our situation a few years since, and the present turbid state of the country, is indubitably far greater than from where we now stand to insurrection, and separation, and civil war. While there are so many combustible materials scattered abroad, and such unceasing pains taken to inflame the public mind, very trivial accidents may enkindle a conflagration.—Once unhinge a government—once let loose mankind from the restraints of law and constitution—and the human mind cannot readily calculate the terrible result. It is said, that those who have for years urged the propriety, and necessity, and advantages to the eastern states, of a dissolution of the union, do not intend to proceed thus far ; and that they hold out these threats *in terrorem* to awe the administration. There is the strongest possible reason to believe that this is a pernicious, a fatal error—and that the leaders of the malecontents are perfectly serious in their views of a separation. How often have the churches echoed with the insurrectional, the treasonable, the fanatical cry—“ *Have we no Moses to lead us out of the land of Egypt ?* ” Fatuity itself cannot mistake the meaning here. But even were they merely threatening, it affords us no certainty against the ruinous result. Those who raise the storm of civil commotions are not able at pleasure to allay its violence, and to say with effect, “ thus far shalt thou go, and no

farther." This theory was fully exemplified in the wars of England between Charles I. and his parliament, and likewise in the French Revolution. The latter, of which nearly all the early leaders perished in jails and on scaffolds, is a very strong case. Very few of these distinguished men contemplated a recourse to arms. They hoped for a bloodless triumph over tyranny. But they were borne down by violent and wicked men whom their proceedings put in motion, but whom they could not restrain.

Never have brighter prospects shone on a nation than those that shone on the United States. Never has a nation been more highly blessed. Never has the security of person and property—of liberty, civil and religious, been attained by such easy sacrifices. Never has the weight of government pressed more lightly. Never have the fondest theories of philosophers and lovers of mankind, been more completely realized.

Our case is very analogous to that of a youth who inherits a large estate, and, unacquainted with the difficulty of its acquisition, cannot form an estimate of its value, which is only to be done by a due consideration of the condition of those who are destitute of the advantages of fortune. He becomes a prodigal, and lavishes away his treasures, which he only then begins to appreciate, when they are irretrievably squandered. This is precisely our case. We have not sufficiently compared our situation with that of the mass of mankind.—We have never taken a full view of the glorious, the inestimable advantages we possessed. We have had the most noble inheritance that ever fell to the lot of a nation, and have not duly appreciated our happiness; we have jeopardized it most wantonly and fatuitously.—We are on the verge of its total loss. A little further progress in folly and madness, and we shall be undone. We have by rapid strides approached the banks of the Rubicon. Whether we shall now plunge in, and ford the stream, or, struck with a due sense of our errors and our danger, shall make a retrograde movement, and

regain the elysium whence we started, is yet in the womb of time. May heaven direct us to the blessed alternative! Beyond the stream verges a dreary desart, where anarchy and civil war hold their terrific reign, with all their long train of horrors, and where the devious paths lead directly to ruthless despotism.

It is time, therefore, to make a solemn pause—to retrace our steps—and, since we refuse to profit by the sad experience of other ages and nations, to avail ourselves of our own. By honest endeavors—by abating the odious violence of party spirit—by mutual compromise—by shaking off the yoke of the violent men whose influence and prosperity depend on public commotions—we may happily regain the ground we have lost—we may dispel the delusion that is leading us to temporal perdition.

To vindicate myself from the charge of folly, in my gloomy apprehensions and anticipations, I shall submit to the reader, in a special chapter, a few of the hundred thousand literary efforts which for years have been making to enkindle the flames of civil war. That we have not yet been involved in it, is not justly chargeable to the want of a due degree of labor and industry. Never was more activity displayed---never was a cause more sedulously or ably advocated. And never was there less scruple about the means provided the end was accomplished.

The language of the writers is pretty plain. It admits of no mistake or misconstruction. That they intend to produce insurrection and dissolution of the union, regardless of the frightful consequences, it would be impudence to deny; it would be folly, or insanity to disbelieve. What may ultimately be their success, it is impossible to foresee. Every thing depends on the course that may be pursued by those who have an interest in the public welfare. If they are not wanting to themselves and to their country, we shall rise triumphant over our present difficulties and embarrassments. But if the prevailing wonderful apathy continues; if we remain slug-

gishly with our arms folded, while our situation grows daily worse and worse; ruin is inevitable. And we shall afford one of the most striking instances to be found in history of premature decay and decrepitude. May the Lord in his mercy avert such an awful fate!

Reliance is placed by those who deny the existence of the danger which I deprecate, upon the sober character of the nation. They deem that character a guarantee against civil war. I am well aware of this circumstance. I allow it a due share of influence and importance. But the strong inference drawn from it is unwarranted by history. And let it be observed once for all, that the only unerring guide in government or politics, is history, to the neglect of whose lessons may be ascribed more than two thirds of our errors and follies. The Athenians were a highly polished, and a refined people. Yet they were occasionally led to the most frightful cruelties by their Cleons and other enragés. They massacred many hundreds of prisoners in cold blood, and long after they were taken. And the proscriptions and butcheries the adverse parties perpetrated on each other, as they gained the ascendancy, are frightful subjects of reflection, and hold out useful warnings to us. No nation of modern Europe excelled France, few equalled her—in courtesy—in mildness—in urbanity. And yet never did man exhibit himself under a more hideous aspect—never did he change nature more completely with wolves, tygers, and hyænas, than under Marat, Danton, Couthon, and Robespierre. *These are awful lessons, to which those who are lending their aid to tear down the pillars of our government, ought to attend.* Man is the same every where, under the same excitements. We have our Cleons, and our Couthons, and our Dantons, who only require suitable occasions to give scope to their energies. The American revolution exhibited in various places, where the parties were rancorously embittered against each other, many terrifying scenes. Prisoners were often hung up without trial by the partizans on both sides. Men and women were treacherously shot down in their houses. And not

unfrequently private malice disguised itself under the cloak of public spirit, to sate its rage. Let us ponder well on those circumstances.

To apply a remedy to any evil, moral or physical, it is indispensably necessary to explore its nature—to ascertain its causes—and to trace their consequences. Any other procedure is the result of error and folly, and pregnant with defeat and disappointment.

With this view I respectfully solicit the public attention. I shall take a rapid, retrospective glance at the follies and guilt, which the factious and discordant state of our country has generated. As far as in my power I have divested myself of any party bias, and shall treat the subject as if it belonged to another age or nation. Whatever errors I may fall into, shall not arise from sinister intention—they shall be chargeable to inadvertence and human imperfection. And on my freedom from partiality, I feel the more reliance, from my unalterable conviction, that both the hostile parties that divide this country, and who regard each other with so much hatred and jealousy, have largely contributed towards the misfortunes that have befallen us—the melancholy change that has taken place in our situation—and the dangers that threaten us. For it is impossible that a candid mind can review the scenes through which we have passed for some years, without a thorough conviction, that each has been guilty of most egregious errors, and follies, and occasionally of something worse than either; and that whenever the interests of the nation and the interests of the party came in collision, the former were too frequently sacrificed* by both federalists and democrats to the latter. No man who has any public spirit, can take a review of our history without feeling the deepest regret at the extent of the mischief this miserable system of conduct has produced. It has defeated many of the noblest plans that the wisdom of the country has ever devised. I may be wrong in my calcu-

* This is one of the most lamentable and humiliating facts in our history.

lations, but I believe it has prevailed to a greater extent here than in almost any other country. When the present generation sits for its picture to the historian, it will form a strong contrast to that which is passed and gone—

“O quantum mutatus ab illo!”

The errors or follies, however, of either party would have produced but little injury comparatively, had not those of the other conspired to give them malignity and effect.

From this exposition of my views, it is obvious I shall steer a course very different from the generality of writers on political topics. With hardly a single exception, their object is, having espoused a party, to justify and embellish its supporters, whether right or wrong; and, if needs be,

“To make the worse appear the better cause.”

In pursuit of this object, their own partizans are all angels of light,—whose sublime and magnificent plans of policy are calculated to produce a political millennium; and their opponents, demons incarnate, intent on the destruction of the best interests of the country. These portraits are equally unjust and incorrect. One is all beauty, with little resemblance to the pretended original—the other a hideous caricature, equally foreign from honor, truth and justice.

Among the frightful consequences resulting from this odious practice, a plain and palpable one presents itself. These horrible portraits engender a satanical spirit of hatred, malice, and abhorrence in the parties towards each other. Men on both sides, whose views are perfectly pure and public spirited, are to each other objects of distrust and jealousy. We attach all possible guilt and wickedness—political at least—to our opponents—and then detest the hobgoblins which we have ourselves created.

It is not thus society is constituted. The mass of mankind of all parties, and perhaps in all ages, have meant

well, except in very corrupt states of society. And little more is necessary to produce harmony between them, than to understand each other correctly. But they are kept in hostility by the intrigues and management of demagogues, whose influence and consequence depend on fomenting discord, and who would sink into insignificance in times of tranquility. Mankind hate each other, not for real existing differences, but for phantoms, the production of heated imaginations. Experience has frequently evinced that the very plans of policy which parties out of power have reprobated and denounced as pernicious, they have pursued themselves as soon as they had vanquished their opponents, and seized on their places. And I believe every man of reflection will acknowledge that if the federalists had retained the administration in their hands, they would have advocated the rights of their country as firmly as their successors have done, and would probably have adopted measures to resist the pretensions of England, similar to those for which they have so strenuously, though not very honorably or consistently opposed the present administration.

In truth, this is not mere supposition. It is historical fact. It will be seen in the sequel of this work, that the federalists took as high ground on the subject of impressment, and as firmly and patriotically resisted the unjust pretensions of England in that respect, as Mr. Jefferson or Mr. Madison has done ; although the resistance of the two latter presidents has been among the strongest accusations alleged against them by their political adversaries. It is impossible to reflect on these topics without sighing over human weakness and folly. Federalism has in these transactions suffered a stain never to be effaced.

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CHAP. II.

Errors of the Democratic Party. Federal Constitution. Opposition to a Navy. Alien and Sedition Law.—Treaty of Messrs Monroe and Pinkney. The Embargo. Separation of the States.

In pursuance of my plan, I proceed to a review of those errors of the democratic party, which have contributed to produce the change in the prospects of this country, and to darken the political horizon; and I trust it will appear that I have not done them injustice in charging them with having a large portion of the guilt to answer for.

Federal Constitution.

In the convention that formed the federal constitution, this party sowed the seeds of a premature dissolution of that instrument, and of the American confederacy.—Regarding society more as it ought to be, than as it has ever been, or is ever likely to be—led astray by theories more plausible than solid—applying to a free elective government, deriving all its powers and authorities from the voice of the people, maxims, and apprehensions, and precautions, calculated for the meridian of monarchy, they directed all their efforts, and all their views, towards guarding against oppression from the federal government. Whatever of authority or power, they divested it of, to bestow on the state governments, or reserve to the people, was regarded as an important acquisition. Against the federal government their fears and terrors were wholly directed. This was the *monstrum horrendum—iugens—informe*, which they labored to cripple and chain down, to prevent its ravages.—The state governments they regarded with the utmost complaisance, as the public protectors against this dreaded enemy of liberty. Alas! little did they suppose that

our greatest dangers would arise from the usurpations of the state governments, some of which are disposed to jeopardize the general government. Unfortunately they were too successful. Their endeavours produced a constitution, which, however admirably calculated for a period of peace, has been found incompetent in war to call forth, at once and decisively, the energies of the nation, and which has been repeatedly bearded by the state governments. Had the real federalists in the convention succeeded, and made the government somewhat more energetic—endowed it with a small degree more of power—it might endure for centuries. What fate at present awaits it, is not in human wisdom to foresee. I fervently pray, with the celebrated father Paul, *esto perpetua*.

This error of the *democratic party* arose from a want of due regard to the history of republics, and from a deep study of those political writers who had written under monarchical governments, and whose views were wholly directed to guard against the dangers flowing from the overweening regal power, especially when in the hands of men of powerful talents, and great ambition. The theories whence they derived their views of government were splendid and sublime—the productions of men of great public spirit, and regard for the public welfare and happiness—and had they been duly tempered by maxims drawn from experience, would have been of inestimable value.

Establishment of a small Navy.

The steady and factious opposition made by the democratic party to the establishment of a small navy, adequate at least to the protection of our own coasts, has been proved by the event to have been most wretched and miserable policy. It arose partly from the spirit of hostility towards the party in power, and partly from a sordid and contemptible spirit of economy, which has

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In many instances disgraced and dishonoured this party, who have frequently proved themselves, to use a very trite but very expressive proverb, penny wise—pound foolish. When we analyze the boasted spirit of economy to which the opposition to a navy may be in part ascribed, we shall find it arises from two sources; the one, from men of narrow minds carrying into public, the huckstering habits of private life. The other, a base spirit of courting popularity by husbanding the public money, even on occasions when liberality is true economy, which is as frequently the case in public affairs as in private life. Both motives are equally contemptible; but the latter is the more pernicious, and produces the most ruinous consequences. It starves and smotheres public undertakings, and public spirit, and often defrauds illustrious men of their due rewards. To this vile spirit we must ascribe the never-enough-to-be-defamed debate, whether Eaton, the glorious and immortal hero of Derne,* should have a sword or a medal! a debate which brought down on the congress in which it took place the contempt of every magnanimous and liberal man in the nation; a debate which would have disgraced the common council of the most petty borough in the union. To this spirit it will be due that votes of thanks, and swords, and urns, and other cheap modes of displaying our gratitude, will probably quiet our minds, and deceive us into the opinion, that we have paid the boundless debt due to the Perries, the Macdo-

* Perhaps I may be wrong in my estimation of this exploit. But I cannot help regarding it as one of the most illustrious events in American military affairs by land—when all the circumstances of the case are taken into view. I never reflect without amazement and admiration on the heroism of the gallant band, who under this intrepid chief pierced through the desert, and shook a powerful usurper's throne to the centre. I have always deplored the inauspicious interference that dashed the glorious prize to the earth just as Eaton had stretched out his hand, and was ready to seize it without the smallest danger of an unfavorable result. The state of Massachusetts acquired great honor by its liberality to the warrior of Derne, on whom it bestowed a valuable tract of land as a mark of its esteem and admiration.

noughs, and the other heroes whose deeds will live as long as the world endures.

The modest, the unassuming, the youthful Perry, by his victory saved a whole frontier, men, women, and children, from the murderous tomahawk ; Macdonough's has certainly saved another, and prevented the enemy from establishing his winter quarters far within our territory. These are debts and claims hardly ever to be paid off : and the obligation of gratitude they impose on the nation by their immense advantages, is incalculably enhanced by the illustrious display of transcendent talents and distinguished bravery they manifested.

If England, whom in this respect we ought to aspire to emulate, gave 500,000*l.* sterling to a Wellington, let the United States give some solid and substantial proof of their gratitude, besides the mere broker's value of the ships they destroy, to their naval Wellingtons. I need not add that I do not calculate upon such very extravagant rewards as the British parliament voted "the great lord," as he has been styled. But the gift ought to be worthy of the donor and acceptor ; ought to operate as a reward to the meritorious, and a stimulus to excite others to emulation.

This is somewhat of a digression. But I hope I shall not have a reader whose feelings will not be sufficiently in unison with these sentiments, not to require any apology. I therefore make none.

I feel confident, that the nation has lost ten times as much through the want of a small navy, as it would have cost. Numbers of instances have occurred, of valuable merchantmen having been captured by petty pickaroons or pirates, with one or two guns. Our ports have been insulted and outraged by privateers and sloopsof war, which a few vessels would have forced to keep a respectful distance. There is none of the points on which the two hostile parties have differed, in which the democrats are so very far below their adversaries in consulting the real, the permanent honour and interest of the country, as in the establishment of a naval force.

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The policy of the federalists in this respect was dignified and honourable; that of the democrats miserably contracted.

Alien and Sedition laws, and Eight per Cent Loan.

The factious clamour excited against the sedition and alien laws, against the eight per cent. loan—which clamour was the principal means of changing the administration, and taking it from the hands of the federalists, to place it in those of the democrats—may be justly reckoned among the sins of the latter party. A candid review of the so-styled sedition law, at the present hour, when the public ferment to which it gave rise, has wholly subsided, will satisfy any reasonable man, that so far from being an outrageous infringement of liberty, as was asserted, it was a measure not merely defensible; but absolutely necessary and indispensable towards the support of government.* To enable the reader to judge for himself, without the trouble of referring to a volume of the laws, I annex the document itself.

“Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any persons shall unlawfully combine or conspire together, with intent to oppose any measure or measures of the government of the United States, which are or shall be directed by proper authority, or to impede the operation of any law of the United States, or to intimidate or prevent any person holding a place or office in or under the government of the United States, from undertaking, performing, or executing his trust or duty; and if any person or persons, with intent as

* It is but justice to avow that the writer of this book was as ardent in his opposition to, and as much alarmed at the probable consequences of, the alien and sedition laws, as any man in the community. As it requires an extraordinary degree of corporeal sanity to resist the effects of a violent epidemical disorder: so it requires great strength of mind to keep out of the vortex of factious contagion, when prevalent with those whose opinions are generally congenial with our own. Of this strength of mind the writer was destitute, in common with a large portion of his fellow-citizens.

aforesaid, shall counsel, advise or attempt to procure any insurrection, riot, unlawful assembly, or combination, whether such conspiracy, threatening, counsel, advice, or attempt shall have the proposed effect or not, he or they shall be deemed guilty of a high misdemeanor; and on conviction, before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding five thousand dollars, and by imprisonment during a term not less than six months, nor exceeding five years; and further, at the discretion of the court, may be holden to find sureties for his or their good behaviour in such sum, and for such time, as the said court may direct.

"Sec. 2. And be it further enacted, That if any person shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing any false, scandalous and malicious writing or writings against the government of the United States, or either house of the Congress of the United States, or the President of the United States, with intent to defame the said government, or either house of the said Congress, or the said President, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States, or to stir up sedition within the United States; or to excite any unlawful combinations therein, for opposing or resisting any law of the United States, or any act of the president of the United States, done in pursuance of any such law, or of the powers in him vested by the constitution of the United States; or to resist, oppose, or defeat any such law or act; or to aid, encourage or abet any hostile designs of any foreign nation against the United States, their people or government, then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

"Sec. 3. And be it further enacted and declared, That if any person shall be prosecuted under this act, for the writing or publishing any libel as aforesaid, it shall be lawful for the defendant, upon the trial of the cause, to give in evidence in his defence, the truth of the matter contained in the publication charged as a libel. And the jury who shall try the cause, shall have a right to determine the law and the fact, under the direction of the court, as in other cases.

"Sec. 4. And be it further enacted, That this act shall continue and be in force until the third day of March, one thousand eight hundred and one, and no longer: *Provided*, that the expiration of the act shall not prevent or defeat a prosecution and punishment of any offence against the law, during the time it shall be in force."

July, 1798.

The fate of this law holds out an all-important lesson on faction and party spirit. Laudable and necessary, as it was, and guarded, as far as a law can be guard-

ed, against abuse, the opposition to it was carried to as great an excess, and it excited as much horror and indignation, as if it had wholly destroyed the liberty of the press, and "*left not a trace behind.*" And in this senseless and disgraceful clamour, were engaged vast numbers of the best and most intelligent men of the community. The Alien and Sedition Laws were made the subject of an elegant, but violent and inflammatory report, agreed to by the legislature of Virginia, as respectable and enlightened a deliberative body as any in the United States, or perhaps in the world. But they were bitten by the mad dog of faction in common with so large a portion of their fellow citizens, and were seized with the prevalent disorder. They regarded the two obnoxious laws, as inroads upon public liberty, that required to be repelled with the utmost firmness.

It would be uncandid not to state, that the trials under this act, for libels against the president, and, as far as my recollection serves me, against some of the other public functionaries, were managed with very considerable rigour; and from the abuse of the law, tended to give an appearance of propriety and justice to the clamour against it. The cases of Thomas Cooper and Matthew Lyon, Esqrs. who were both treated with remarkable severity, excited a high degree of sympathy in the public mind. I have strong doubts, whether under all the circumstances, a jury could be found in London to pronounce a verdict of "guilty" against either of them. Of the two cases, it may be justly said—*summum jus, summa injuria*. But the censure did not attach to the law. It lay at the door of the juries.

I have little to say respecting the alien law. It was liable to strong objections. It invested the president with powers that might be much abused. But it certainly never warranted the awful outcry that was raised against it. To enable the reader, however, to form his own opinion—and, if mine be erroneous, to reject it altogether, I annex the most obnoxious clause of the act.

Sec. 1. "Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for the President of the United States at any time during the continuance of this act, to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order; which order shall be served on such alien by delivering him a copy thereof, or leaving the same at his usual abode, and returned to the office of the secretary of state, by the marshal or other person to whom the same shall be directed. And in case any alien so ordered to depart, shall be found at large within the United States after the time limited in such order for his departure, and not having obtained a license from the president to reside therein, or having obtained such license shall not have conformed thereto, every such alien shall, on conviction thereof, be imprisoned for a term not exceeding three years, and shall never after be admitted to become a citizen of the United States. *Provided always, and be it further enacted,* That if any alien so ordered to depart, shall prove to the satisfaction of the president, by evidence to be taken before such person or persons as the president shall direct, who are for that purpose hereby authorized to administer oaths, that no injury or danger to the United States will arise from suffering such alien to reside therein, the president may grant a license to such alien to remain within the United States, for such a time as he shall judge proper, and at such place as he may designate. And the president may also require of such alien to enter into a bond to the United States, in such penal sum as he may direct, with one or more sufficient sureties to the satisfaction of the person authorised by the president to take the same, conditioned for the good behaviour of such alien during his residence in the United States, and not violating his license; which license the president may revoke, whenever he shall think proper."

July 6, 1798.

The eight per cent. loan remains. It was united with, and increased the clamour against the alien and sedition laws; and these three obnoxious measures, as I have already observed, precipitated the federalists from power. Yet we have since found that their successors, the democrats, have themselves given a greater interest than eight per cent. This would afford a glorious triumph to federalism over her inveterate rival, democracy, were it not that the annals of the former can furnish many instances of similar frailty, and inconsistency, and departure from professions. And it is a melancholy truth, that the histories of all the parties and factions that have, since govern-

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ment first began, cursed and scourged mankind by their senseless, envenomed, and implacable hostilities, are replete with instances of errors equally disgraceful and dishonourable. A history of the madness, the folly, and the depravity of party and faction, is a grand desideratum.

Jay's Treaty.

The opposition to this instrument, which pervaded the union, and greatly disturbed the administration of Gen. Washington, was a factious procedure on the part of the democrats, who were led away by objections, plausible, but not substantial—hardly one of which has been realized. This affair evinces the folly and danger of yielding to the sudden impulses of national feeling, which bear down every thing before them, and which wholly overpower the reason and understanding of even the wise and good, who *quoad hoc* are only on a level with the most uninformed and uncultivated part of the community. Nearly all the predictions respecting this treaty have been the soothsayings of false prophets, of men some led astray by their prejudices—others by perturbed imaginations. Such of them as have been realized, have been more than counterbalanced by the solid advantages resulting from the adjustment of the differences between the two nations.

Of the errors of Mr. Jefferson's Administration,

It is unnecessary to mention more than three, denoting two very opposite extremes of character—the one highly bold and daring—the others displaying an equal degree of feebleness.

Treaty with England.

Two ministers appointed by Mr. Jefferson, had negotiated a treaty with England, the best they could procure.

It had been transmitted to him in due form. Without consulting the co-ordinate branch of the treaty-making power, he on his own responsibility rejected it, and transmitted to these ministers instructions to begin the negociation *de novo*. This was a mighty and a fatal error.* It may be doubted whether it were not a violation, at least of the spirit of the constitution. It was at all events a case that probably did not enter into the conceptions of the framers of that instrument. If it had, it is likely they would have provided against its occurrence.

A calm reflection on this subject can hardly fail to convince the reader that probably to this source may be fairly traced nearly all our present difficulties. Had this treaty been, as it ought to have been, laid before the Senate, they would in all likelihood have ratified the chief parts of it, and, as had been the case with Jay's treaty, have referred the obnoxious clauses to a new discussion; our disputes with England would have been thus compromised—and our party divisions could never have been excited to such a height as to endanger the peace and security of the country.

It has been inferred from the rejection of this treaty, that it arose from Mr. Jefferson's desire of a cause of war with England. This is radically wrong. At no period since the commencement of the French revolution has there been a deficiency of a real cause of war with England, in the impressment of our seamen, and the violent proceedings against our commerce. But a pregnant proof of the fallacy of this charge arises out of the attack of the Leopard on the Chesapeake. This circumstance settles the question forever. Had Mr. Jefferson been desirous of a war with England, nothing more was necessary than to have convened congress immediately after that event, during the extraordinary ebullition of

* A palliation of this error may be found in the circumstance, that the negociators had violated one explicit item of Mr. Jefferson's instructions—to conclude no treaty without a specific article guarding against impressments.

the public mind which it created. All parties were then clamorous for, and would have heartily united in a war. And war would certainly have been declared by congress almost unanimously. But with a desire of peace, deserving of the highest praise and gratitude of his country, which he has never received, he deterred the convening of congress about four months, within which period the public ferment had subsided. This important fact is wholly overlooked in the factious discussions that have taken place respecting his administration; so true it is, that in times of turbulence, reason raises her voice in vain. It is drowned in the obstreperous brawlings of noisy factionists.

The justice which leads to this vindication, compels me unqualifiedly to censure the very extraordinary and unprecedented measure of rejecting the treaty on his own responsibility.

Besides the want of an explicit clause on the subject of impressment, the friends of Mr. Jefferson, assign another plea to justify him for the rejection of this treaty. After it was signed by both parties, there was a rider annexed to it by the British commissioners, which went to give the treaty-sanction to the celebrated orders in council, which then, it would appear, were in contemplation.

To enable the reader to decide correctly, I annex the rider.

NOTE

Of the British Commissioners accompanying Monroe and Pinckney's treaty.

LONDON, Dec. 31, 1806.

"The undersigned, Henry Richard Vassel, lord Holland, and William lord Auckland, plenipotentiaries of his Britannic majesty, have the honor to inform James Monroe and William Pinckney, commissioners extraordinary and plenipotentiaries of the United States of America, that they are now ready to proceed to the signature of the treaty of amity, commerce and navigation, on the articles of which they have mutually agreed.

"But at the same time they have it in command from his majesty, to call the attention of the commissioners of the United States to some extraordinary proceedings which have lately taken place on the

continent of Europe, and to communicate to them officially the sentiments of his majesty's government thereupon.

"The proceedings alluded to are certain declarations and orders of the French government issued at Berlin on the 21st of November last.

"In those orders, the French government seeks to justify or palliate its own unjust pretensions, by imputing to Great Britain principles which she never professed, and practices which never existed. His majesty is accused of a systematic and general disregard of the law of nations, recognized by civilized states, and more particularly of an unwarrantable extension of the right of blockade; whereas *his majesty may confidently appeal to the world on his uniform respect to neutral rights, and his general and scrupulous adherence to the law of nations, without condescending to contrast his conduct in these particulars with that of his enemy: and with regard to the only specified charge, it is notorious that he has never declared any ports to be in a state of blockade, without allotting to that object a force sufficient to make the entrance into them manifestly dangerous.*

"By such allegations, unfounded as they are, the enemy attempts to justify his pretensions of confiscating as lawful prize, all produce of English industry or manufacture though it be the property of neutrals; of excluding from his harbors every neutral vessel, which has touched at any port of his majesty's dominions, though employed in an innocent commerce, and of declaring Great Britain to be in a state of blockade, though his own naval ports and arsenals are actually blockaded; and he is unable to station any naval force whatever, before any port of the united kingdom.

"Such principles are in themselves extravagant and repugnant to the law of nations; and the pretensions founded on them, though professedly directed solely against Great Britain, tend to alter the practice of war among civilized nations, and utterly to subvert the rights and independence of neutral powers. The undersigned cannot, therefore, believe that the enemy will ever seriously attempt to enforce such a system. If he should, they are confident that the good sense of the American government will perceive the fatal consequences of such pretensions to neutral commerce, and that its spirit and regard to national honour will prevent its acquiescence in such palpable violations of its rights, and injurious encroachments on its interests

"If, however, the enemy should carry these threats into execution, and if neutral nations, contrary to all expectations, should acquiesce in such usurpations, his majesty might probably be compelled, however reluctantly, to retaliate in his just defence, and to adopt, in regard to the commerce of neutral nations with his enemies, the same measures which those nations shall have permitted to be enforced against their commerce with his subjects. The commissioners of the United States will therefore feel, that at a moment when his majesty and all neutral nations are threatened with such an extension of the belligerent pretensions of his enemies, he cannot enter into the stipulations of the present treaty, without explanation from the United States of their intentions, or a reservation on the part of his majesty in the case above mentioned, if it should ever occur.

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"The undersigned, considering that the distance of the American government renders any immediate explanation on this subject impossible, and animated by a desire of forwarding the beneficial work in which they are engaged, are authorized by his majesty to conclude the treaty without delay. They proceed to the signature under the full persuasion that before the treaty shall be returned from America with the ratification of the United States, the enemy will either have formally abandoned or tacitly relinquished his unjust pretensions, or that the government of the United States by its conduct or assurances, will have given security to his majesty that it will not submit to such innovations in the established system of maritime law: and the undersigned have presented this note from an anxious wish that it should be clearly understood on both sides, that without such an abandonment on the part of the enemy, or such conduct on the part of the United States, *his majesty will not consider himself bound by the present signature of his commissioners to ratify the treaty, or precluded from adopting such measures as may seem necessary for counteracting the designs of his enemy*

"The undersigned cannot conclude without expressing their satisfaction on the prospect of accomplishing an object so important to the interests and friendly connection of both nations, and their just sense of the conciliatory disposition manifested by the commissioners of the United States during the whole course of the negotiation

(Signed)

VASSAL HOLLAND-
AUKLAND.

To James Monroe, &c. &c. &c.
William Pinckney, &c. &c. &c.

However exceptionable the terms of this note may be, I cannot persuade myself that it justifies the rejection of the treaty without consulting the Senate. Men of powerful minds defend the procedure. Their arguments have never convinced me. To the reader's judgment I submit the subject.

Separation of the States.

The next error of Mr. Jefferson's administration, involves a great neglect of duty. During nearly the whole of that period, the insurrectional and treasonable doctrine of a separation of the states, was publicly advocated in some of the Gazettes to the eastward, and, won-

derful and shameful to tell, preached from the pulpit. These publications and sermons, having a direct tendency to the destruction of social order, and the introduction of civil war, demanded the severe animadversion of the law officers of the government. It was the incumbent duty of the President to have had the laws put in force to repress the offences, and to punish the offenders. And if there were no law to reach the offence, he ought to have submitted the case to congress, for the purpose of supplying the defect. A re-enactment and enforcement of the sedition law was loudly called for. And the good sense of the nation would have supported a measure which the public welfare rendered so necessary. It may be fairly averred that there is no country in the world but the United States, in which an open attempt to subvert the government, and tear down the pillars of society, would have escaped condign punishment. Every society ought to possess within itself, and to exercise when occasion calls for it, the fundamental principle of self preservation.

It is impossible to censure too highly the error here adverted to. The jeopardy in which the nation is now placed—when our nearest and dearest interests are in the most imminent danger, may be fairly ascribed to this most fatal and pernicious misconduct. In every science there are some great, leading truths which cannot be controverted. And in political economy there is no maxim more indubitable, than this, that *treason cannot be propitiated by forbearance*. And never since the world was formed did a conspiracy meet with the same degree of impunity. Our Palinurus slept at the helm. The mutineers had full scope for their activity. They made their arrangements at leisure, as undisturbedly as if they were engaged in promoting the salvation of the state. To whatever cause this neglect may be ascribed, whether to torpor, inactivity, or reliance on the good sense of the nation, it casts an indelible stain on the administration of Mr. Jefferson.

The last of the errors of his administration which I shall notice, arises from his neglect of enforcing

The Embargo,

Which was a most efficient weapon for procuring redress from England. Its effects upon her colonies by privations of the necessaries of life—and upon her trade and naval power, by withholding supplies of raw materials and naval stores, were very considerable. And had it been duly enforced, as was the duty of the chief magistrate, it could hardly have failed to impel the British to relinquish those pretensions, which so highly and perniciously infringed our rights. But it was openly and flagitiously violated, and of course its intended operation on England utterly counteracted. It became a mere *brutum fulmen*. Its effects on this country were highly pernicious. While it curtailed the business and profits of the fair trader, it enabled smugglers, and those who set the laws of their country at defiance—whose god was gain, to make rapid and unhallowed fortunes. In a word, it sacrificed the interests of some of the best, to those of the very worst members of the community. In proportion as a citizen held the laws sacred—in proportion as he honestly yielded them obedience—in the same proportion did he sacrifice his interests. And by this political arithmetic, in proportion as a citizen disregarded the law—in proportion as he sacrificed the public interest to his thirst of gain—in the same proportion did he aggrandize himself. The export trade, which was fraudulently carried on to a considerable extent, was wholly in the hands of persons of the latter description. Their vessels laden with abundant supplies for the British colonies, were very conveniently driven to sea by westerly winds, and forced into the West Indies.

It has been said, in vindication of Mr. Jefferson, that he had not sufficient power to enforce the execution of this law. This is utterly incorrect. His powers were amply adequate for this purpose. But even if this defence were valid, it exonerates him not from the high degree of censure attached to this dereliction of duty. He ought, in that case, to have stated the defect to congress, who had the power of applying, and undoubtedly at his requisition would have applied a remedy.

Besides the non-enforcement of the embargo act, there was a radical error committed by the government in continuing it so long. Its inadequacy to effect the purpose its friends had contemplated, was fully established. And, failing that, its effect was to punish ourselves for the lawless proceedings of others. It ought to have been considered principally as a preparation for war.

The measure substituted for the embargo, that is, the non-intercourse with both belligerents, has been universally regarded by the democrats as a very feeble one, and the eleventh congress, which made the change, has been by them on that ground stigmatized as weak and contemptible. This is a most egregious error. It is inconceivable how it could have found such general credence. The non-intercourse law was as bold, as manly, and as energetic a measure as the annals of Christendom can produce for a century. An infant nation, with five or six frigates, and a number of gunboats, forbids the entrance into her ports, under penalty of confiscation, to the vessels of the two most powerful nations in the world; the one absolute by land—the other by sea, and owning a thousand vessels of war! and this is, forsooth, a measure dictated by imbecility!

Proffered Armistice.

The first of the errors of Mr. Madison's administration, that I shall notice, will be the refusal of the armistice.

justice offered by admiral Warren, on the 12th of September, 1812, nearly three months after the declaration of war.

Never, probably, was war more just. Never had a country more patiently borne the most humiliating accumulation of outrage and injury than the United States had done. Her character had in consequence fallen in the estimation of mankind. She was universally presumed to be so lost in the sordid pursuit of gain, as to be callous to outrage, to insult, and to contumely. She had appeared to have forfeited all regard to national honour and dignity. Her mendicant ambassadors had been for years, in vain suing for justice and forbearance at the portals of St. James's palace. The pusillanimity of the government had become a subject of reproach to the federalists—of shame to the democrats. And it was a bye-word among the opposers of the administration, that it "could not be kicked into war." It is impossible to forget the torrents of reproaches heaped upon the cabinet at Washington, on this ground. The pusillanimity and cowardice of the federal administration furnished an inexhaustible fund of rhetorical embellishments to flowery speeches innumerable.

The declaration of war was therefore as just as any similar document from the days of Nimrod. The expediency of it was, however, not so clear. The risk was immense. It was putting to hazard the vital interests of eight millions of people, on the very uncertain chances of war. But let it be observed, that every argument against this war, would apply with nearly equal force against resistance to any degree of insult, outrage, and injury from England; for the chief arguments against its expediency, are predicated upon the immense naval power of that nation, and her consequent means of inflicting incalculable injury upon the United States; and whatever cogency there is in these arguments, they would have the same, let the injuries sustained be what they might.

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But whatever might be the justice, necessity, or policy of the war, when the orders in council were repealed, and an armistice offered by the British government, it was a great error, not to accept it. Negotiations for the removal of the rest of our grievances might have taken place; and would undoubtedly have been conducted under more favourable auspices, than those that preceded them; for England having discovered that she had calculated too far on our passiveness, would have been far more disposed to do us justice.

Unfortunately the proposition was rejected—a rejection pregnant with most injurious consequences to us and our posterity.*

* Candour and justice to Mr. Madison require that I should state that he offered to agree to an armistice with Sir John Borlase Warren, on condition that the practice of impressment should be suspended during the negotiation. From the letter of the secretary of state to Sir John on this subject, I annex an extract—

“The claim of the British government is to take from the merchant vessels of other countries, British subjects. In the practice the commanders of British ships of war often take from the merchant vessels of the United States, American citizens. *If the United States prohibit the employment of British subjects in their service, and enforce the prohibition by suitable regulations and penalties, the motive to the practice is taken away.* It is in this mode that the President is willing to accommodate this important controversy with the British government: and it cannot be conceived on what ground the arrangement can be refused.

“A suspension of the practice of impressment, pending the armistice, seems to be a necessary consequence. It cannot be presumed, while the parties are engaged in a negotiation to adjust amicably this important difference, that the United States would admit the right, or acquiesce in the practice, of the opposite party; or that Great Britain would be unwilling to restrain her cruisers from a practice which would have the strongest tendency to defeat the negotiation. It is presumable, that both parties would enter into the negotiation with a sincere desire to give it effect. For this purpose it is necessary that a clear and distinct understanding be first obtained between them, of the accommodation which each is prepared to make. *If the British government is willing to suspend the practice of impressment from American vessels, on consideration that the United States will exclude British seamen from their service, the regulations by which this compromise should be carried into effect, would be solely the object of negotiation.* The armistice would be of short duration. If the parties agreed, peace would be the result. If the negotiation failed, each

When the preceding article was written, I had not sufficiently examined the celebrated repeal, as it is styled, of the orders in council, which is very different indeed, from what I had conceived it. It is liable to strong objections, which I believe have never been fully stated, and of which the public are not probably aware. To enable the reader to comprehend my meaning, and to

would be restored to its former state, and to all its pretensions by recurring to war

"The President desires that the war which exists between the two countries should be terminated on such conditions as may secure a solid and durable peace. To accomplish this great object, it is necessary that the great object of impressment be satisfactorily arranged. He is willing that Great Britain should be secured against the evils of which she complains. He seeks, on the other hand, that the citizens of the United States should be protected against a practice, which, while it degrades the nation, deprives them of their rights as freemen, takes them by force from their families and country into a foreign service, to fight the battles of a foreign power, perhaps against their own kindred and country."* These proposals were perfectly fair and honourable—and it is to be lamented that Sir J. B. Warren's powers were not extensive enough to allow him to accept them: but as they were not thus extensive, it is equally to be lamented that the suspension of impressment was insisted on.

As this is a most important feature in our public proceedings, it is proper to state further, that so sincerely desirous was Mr. Madison to close the breach, that on the 26th of June, 1812, only eight days after the declaration of war, he authorised Mr. Russel to propose to the government of Great Britain, the same mode of preventing the grievances of which she complained, as is above stated, and to remedy which she had recourse to impressment; which was communicated to lord Castlereagh by Mr. Russel, in the following words:

London, August 24th, 1812.

"As an inducement to Great Britain, to discontinue the practice of impressment from American vessels, I am authorized to give assurance, that a law shall be passed (to be reciprocal) to prohibit the employment of British seamen, in the public or commercial service of the United States.

"It is sincerely believed, that such an arrangement would prove more efficacious in securing to Great Britain her seamen, than the practice of impressment, so derogatory to the sovereign attributes of the United States, and so incompatible with the personal rights of her citizens."

This proposition was rejected by lord Castlereagh.

* Message of the president to congress, Nov. 4, 1812.

form his own opinion correctly on a point of such great magnitude, independent of any impression to be made by my statement, I annex the paragraph of the instrument to which I allude, as not generally understood:—

“His royal highness is hereby pleased to declare, in the name and on the behalf of his majesty, that nothing in this present order contained shall be understood to preclude his royal highness the prince regent, IF CIRCUMSTANCES SHALL SO REQUIRE,” [mark these words, reader—“*if circumstances shall so require,*”] “*from restoring, after reasonable notice, the order of the 7th of January, 1807, and 26th of April, 1809, or any part thereof, to their full effect; OR from taking such other measures of retaliation against the enemy, as may appear to his royal highness to be just and necessary.*”

This cannot be denied to be a most extraordinary clause. The prince regent has received an authenticated document containing the repeal of the Berlin and Milan decrees, on which he deems himself bound to repeal the orders in council. But in the instrument which he issues on the subject, he expressly reserves the right of restoring them, “*if circumstances shall so require:*” and of these “*circumstances*” he, of course, is to be judge. These “*circumstances*” are wholly independent of “*retaliation*”—for provision is made in the subsequent part of the paragraph expressly for “*retaliation*,” in a distinct clause. It therefore appears that the orders were in strict technical language *never repealed*—they were merely *suspended* till “*circumstances should require*” their revival.

I trust that no candid reader will deny that the above is fair reasoning, and that this cannot be regarded as a “*repeal*,” in the sense that this nation had a right to expect the orders in council to be “*repealed*” according to the British pledge, to proceed *pari passu* with the repeal of the French decrees. The orders in council might have been “*restored*” in one month, after the date of this instrument, according to its tenor, “*if circumstances should have so required,*” without our government having any just reason to complain of breach of faith on

the part of that of Great Britain. There never was a public document more cautiously worded. And had it arrived here previous to the declaration of war, this country would have been perfectly warranted in refusing to regard it as a repeal. To meet and to fulfil the idea held out in the previous pledges of the British government, the repeal ought to have been unconditional, except the reservation of a right to renew the orders in council, in the one specific case of the revival of the French decrees.

It is a remarkable fact respecting this repeal, that in the debates in the British parliament upon it, the wrongs inflicted by the orders in council upon this country formed no part of the reasons whereon the adoption of the measure was urged. Even Mr. Brougham, the powerful opponent of the orders, and the main instrument of carrying the address for their "*repeal*," founded his arguments wholly on the injurious effects experienced in England by the loss of our trade. It is true, he once alludes at the injustice of the orders, but it is very slightly and merely incidentally. He does not come forward boldly and magnanimously to expose them to reprobation on the ground of their violation of our rights, as Mr. Baring had done in his celebrated pamphlet.

But as the president *admitted the instrument to be a repeal*, it is, I repeat, to be deeply regretted, that he did not accept the armistice, and trust to subsequent negotiation for redress on the subject of impressment. For his admission of it in that point of light, precludes him from employing the solid objection to which it is liable.

The appointment of Mr. Gallatin,

As minister to treat with England, was a very considerable error. This gentleman has had the reputation, probably with justice, of being one of the ablest financiers in this country. For twelve years, he had presided over the financial concerns of the nation, during

which period, moderate talents were adequate to the duties of that station. But a crisis had arrived when the abilities of a Colbert, or a Sully, or a Ximenes might be necessary; and most injudiciously and indefensibly he was then dispatched to another hemisphere; and the duties of his office devolved *ad interim* on another officer whose proper official duties require all his time and all his talents.

This measure was highly preposterous. It was incorrect in the president to confer, it was equally incorrect in the secretary to receive, the appointment. It was the less defensible from the circumstance that nearly all the democrats in the United States had utterly disapproved of and declaimed against, the appointment, in 1794, by Gen. Washington, of Judge Jay, to negotiate a treaty with Great Britain, pending his continuance as a judge. It is moreover obvious, that the absence of one judge cannot produce any material inconvenience; as there are always others to supply his place. But there are high and responsible duties attached to the office of secretary of the treasury, which can never, without very great impropriety, be devolved on a deputy. I pass over all but the transcendent one of remitting fines and forfeitures, too high a power probably to be trusted to any individual whatever, not excepting even a secretary himself.*

Negotiation at Gottenburg.

At a period when it was of immense importance to the United States to close the war as speedily as possible, the president had the alternative of London or Gottenburg as the scene of negotiation. We had been unfortunate by land, through treason, incapacity, or some other cause. It was our interest to accelerate—it was that of the British to procrastinate the negotiations. The chances

* See the luminous essays on this subject by W B Giles, Esq. which are replete with the most convincing and unanswerable arguments.

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from delay were much in their favour. War is, more-
over, a component part of their system. Ours is calcu-
lated for peace. These observations acquired treble
force from a reflection on the disaffection of the eastern
portion of the union, and its aversion to the war. Of
course, we ought to have shunned every thing that caused
delay. It is therefore most extraordinary and unac-
countable that the president should have chosen Gotten-
burg in preference to London, under all the obvious
delays resulting from the necessity that would probably
arise, or be pretended, to consult the court of St. James's,
by the minister of that court. It appears almost as absurd
as it would be to select the Havanna, or Portroyal, if the
negociations were to be conducted on this side of the
Atlantic. This was the more erroneous, from the con-
sideration that the fate of large portions of our territory
and the lives of hundreds of valuable citizens might de-
pend upon the delay of a single day.

Shortly after the annunciation of the choice of Got-
tenburg, there was a paragraph published in one of our
newspapers, extracted from the Courier, or Times, stat-
ing that twenty mails were then actually due from that
place at London, owing to the continued prevalence of
adverse winds. This was an unanswerable proof, if any
were necessary, of the impropriety of the choice of
Gottenburg.

Recent neglect of due Preparations.

Under this head, the president and the heads of de-
partments are still more culpable than under any of the
former ones.

From the period of the downfall of Bonaparte, and
the complete triumph of Great Britain and her allies, it
was obvious to the meanest capacity that her powers of
annoyance had increased prodigiously. The immense
forces raised to aid the coalition against France were li-
berated from all employment but against us. And of

the disposition of England to continue the war, we had the most convincing indications. The British newspapers were filled with denunciations of vengeance against us, and with statements of immense preparations for our chastisement. And to crown the whole—to remove all possible doubt on the subject—to deprive us and our rulers of all plea in justification of our torpor, and apathy, and neglect, an address was published from the lords of the admiralty to the navy, stating, as a reason for not discharging so many seamen as the return of peace in Europe might have warranted, that a war existed with this country for the maritime rights of the British Empire.

"London, April 30, 1814.

"The lords commissioners of the admiralty cannot announce to the fleet the termination of hostilities with France without expressing to the petty officers, seamen and royal marines of his majesty's ships, the high sense which their lordships entertain of their gallant and glorious services during the late war. The patience, perseverance, and discipline; the skill, courage and devotion, with which the seamen and marines have upheld the best interests, and achieved the noblest triumphs of our country, entitle them to the gratitude, not only of their native land, which they have preserved inviolate, but of the other nations of Europe, of whose ultimate deliverance their success maintained the hope and accelerated the accomplishment. Their lordships regret that the unjust and unprovoked aggression of the AMERICAN GOVERNMENT, in declaring war upon this country, after all the causes of its original complaint had been removed, does not permit them to reduce the fleet at once to a peace establishment; but as the question now at issue in this war, is, the maintenance of those maritime rights, which are the sure foundation of our naval glory, their lordships look with confidence to that part of the fleet which it may be still necessary to keep in commission, for a continuance of that spirit of discipline and gallantry, which has raised the British navy to its present preeminence. In reducing the fleet to the establishment necessary for the American war, the seamen and mariners will find their lordship's attentive to the claims of their respective services. The reduction will be first made in the crews of those ships which it may be found expedient to pay off; and from them the petty officers and seamen will be successively discharged, according to the length of their services; beginning in the first instance with all those who were in his majesty's service previous to the 7th of March, 1803, and have since continued in it. When the reduction shall have been thus made, as to the ships paid off, their lordships will direct their

attention to those which it may be found necessary to keep in commission; and as soon as the circumstances of the war will admit, will bring home and discharge all persons having the same standing and periods of service, as those discharged from the ships paid off; so that in a few months the situation of individuals will be equalized; all men of a certain period of service will be at liberty to return home to their families; and the number which it may be still necessary to retain, will be composed of those who have been the shortest time in the service. An arrangement in itself so just, cannot, in their lordships' opinion, fail to give universal satisfaction; and they are induced to make this communication to the fleet, because they think that the exemplary good conduct of all the petty officers, seamen, and marines, entitles them to every confidence, and to this full and candid explanation of their lordships' intentions. Their lordships cannot conclude without expressing their hope, that the valour of his majesty's fleets and armies will speedily bring the American contest to a conclusion favourable to the British name, life for British interests, and consequently the lasting repose of the civilized world.

"By command of their lordships.

"J. W. CROKER."

Notwithstanding all these symptoms of a near approaching hurricane, a delusion almost universally prevailed through the nation, of which it is hardly possible to produce a parallel. Numbers of our most enlightened citizens, knowing that the restoration of peace had removed all the ostensible causes of war, and placing full reliance upon the magnanimity of Great Britain, predicated all their arrangements on a speedy and honourable peace. Purchases and sales of property to an incalculable amount, were made under this soothing expectation. And we were lulled into a state of the most perfect security, as if all our dangers had utterly subsided—the temple of Janus were about to be closed—and every man were to convert his sword into a plough-share.

To such a degree was this infatuation carried, that authentic information of the failing of hostile armaments produced no effect to diminish it. We were gravely told that it was quite in character for nations to put on a bold face when they were negotiating; that the expense to England of sending these armaments was inconsiderable; that they would be recalled as soon as a treaty was signed; and in fine that she was too magnan-

imous to take advantage of the existing state of things—with an endless variety of arguments and assertions equally profound, convincing, and cogent.

There were infinite pains taken by the friends of England to foster and extend this delusion. Their efforts were crowned with the most complete success. The nation fell into the snare with a degree of cullibility that afforded a practical commentary on our pretensions to illumination superior to the rest of the world.

These deceits were varied with an address and industry worthy of a better cause. They assumed every kind of shape from an humble six-penny paragraph extracted from a London paper to an important public document. Extracts of letters, innumerable, from eminent merchants in London, Liverpool, and Glasgow, to merchants of equal eminence in Boston, New-York, Philadelphia, and Baltimore, were published with most confident assurances of the immediate appointment of commissioners, to negotiate with ours on terms comporting with the magnanimity of England, and perfectly honourable to the United States. Letters were said likewise to have been received from Mr. Gallatin, full of assurances of peace, which Britain would grant on terms more favourable than when she was pressed by the power of Bonaparte. All these tales, how wild or extravagant soever, were greedily caught at and believed by our citizens, as they flattered and coincided with their ardent desire for peace. So true it is, as the poet says,

“What we wish to be true, we are fond to believe.”

Several times we were deluded with information that Admiral Cochrane had received dispatches announcing an approaching armistice, with his consequent recall from the American station. In a word, no pains were spared to lull us into a most profound sleep; and the opiates operated most powerfully.

During all this deceitful calm, through which every man of discernment might readily and unerringly foresee the approaches of a fearful storm—as every indication from England, deserving of credit, portended a long, a desperate, and a vindictive warfare; the government of the United States took no measures to dispel the delusion. In vain the public looked to Washington for information on the prospect of affairs. All was there profoundly silent. Government must have had all the information on the subject that was in this country: and it was their incumbent duty to have disseminated abroad the result of their intelligence, that the public might regulate their proceedings and predicate their measures on rational and prudential calculations. But this imperious duty was, I venture to assert, utterly neglected. There was not a line of official communication on the subject. And nothing appeared in the *National Intelligencer*, that strongly marked either a probability of peace or of a continuance of the war. As far, however, as conclusions could be drawn, from that semi-official paper, they bore more the stamp of a restoration of peace, than of the contrary.

This conduct on the part of the administration was to the last degree culpable. It was a dereliction of duty that exposed our citizens to ruinous consequences. The Philadelphians were among the most deluded portion of the people of the United States. There were no preparations made for defence, except the embodying a number of volunteer corps, very inefficient indeed to protect us. And I shudder to think what might have been the consequences, had the enemy assailed us while we were thus napping in a state of stupid and most irrational security.

The crash of the conflagration at Washington awaked us out of our slumbers, and dispelled the delusion.—We were then aroused to a full sense of our dangerous situation, and of the folly and supineness that had caused it. We went manfully to work—and in a few weeks made such preparations as renewed public confidence,

and promised fair to enable us to repel the enemy, should he make his appearance.

Bank of the United States.

Among the great sins of the democratic party, must be numbered the non-renewal of the charter of the bank of the United States. This circumstance injuriously affected the credit and character of this country abroad—produced a great degree of stagnation, distress, and difficulty at home—and is among the causes of the existing embarrassments and difficulties of the pecuniary concerns of the country. Were it now in existence, its capital might readily at any time be increased by congress, 10, 12, 30 or 40 millions, so as to aid the government most effectually, and support the national credit.

To the renewal of the charter there were various objections made, on the ground of inexpediency: but these had not much influence—nor were they entertained by many of the members. The grand difficulty arose from the idea so steadily maintained by the democratic party, that the constitution imparted no power to grant charters of incorporation. Many of the members who on this ground voted in the negative, most unequivocally admitted the *expediency* of a renewal of the charter.

This constitutional objection was obviated, it would appear, unanswerably. All the departments of the government, legislative, executive, and judiciary, had recognized the institution, at various times during the twenty years of its existence.

The courts of different states and of the United States had sustained various suits brought by the bank in its corporate capacity—by which so far as depended upon the judiciary, it had the seal of constitutionality stamped on it. This was a very serious, important, and decisive circumstance.

In addition to this, a democratic legislature of the

United States had given it a most solemn sanction. In March 1804, an act had passed to authorize the institution to establish branches in the territories of the United States, which power was not embraced by the original charter. *This act was passed without a division, when nearly all the members were present.* No constitutional objection could have been then suggested; for such members as believed the measure unconstitutional, would indubitably have called for the yeas and nays in order to record their dissent.

The act was signed by Nathaniel Macon, speaker of the house of representatives, Jesse Franklin, president of the senate, and Thomas Jefferson, president of the United States.

These cases, with others which might be cited, produced this dilemma. They either, as I have stated, afforded a complete recognition of the constitutionality of the charter, or a gross, palpable violation of the constitution, by the three several grand departments of the government.

I presume it cannot be doubted, that if a charter of incorporation be unconstitutional, every extension of the powers of the corporate body must be equally unconstitutional—perhaps I might go so far as to assert that every act recognizing the charter is in the same predicament. But it is not necessary for my purpose to proceed thus far.

It therefore follows irresistibly that every member who voted for the act of March 1804, and afterwards voted against a renewal of the charter, merely on the grounds of unconstitutionality, was guilty of a manifest, if not a criminal inconsistency.

A circumstance connected with this transaction, rendered the impropriety of the rejection of the application of the bank, still more striking and palpable. The government held 2200 shares of the stock till the year 1802, which they sold to Sir Francis Baring at 45 per cent. advance, whereby they made a clear profit of \$399,600 beyond the par value. Those who purchased of Mr.

Barring, and held the stock till the dissolution of the bank, lost all this sum, exclusive of a considerable difference between the dividends and legal interest on the purchase money. They could never have entertained any doubt of the continuance of the charter. They must have regarded it as permanent as that of the bank of England. Had they supposed otherwise they would not have bought at so great an advance. And it would not be easy to satisfy any candid indifferent person that our government could with propriety or justice, make such profit out of their ignorance and their confidence in its integrity and fairness.

The Capture of Washington.

On the 24th of August, the capital of the United States was taken by the enemy. Their force was small. It was by no means of that magnitude that would have prevented the disaster from being accompanied by disgrace. Had it been overwhelming, the loss might have excited regret, but we should have been spared mortification. But as it stands a subject for historical record, the loss, although very great, is undeserving of consideration. Placed beside the dishonour, it sinks into insignificance like a molehill placed beside a mountain.

I cannot state the exact force of the enemy. But every person with whom I have conversed, that saw them, has been of opinion that the numbers were so small, and they were so jaded and dispirited with their march, that had suitable preparations been made, they might have been defeated and probably captured.

They landed at Benedict, on the 16th of August, and proceeded in a tolerably regular course towards Washington, which was the only object worthy of their attention. They were eight days on their march. And so far as I have learned, there was not the slightest preparation made for their reception, till one or two or three days before their arrival at that city. It is said that the secretary at

war ridiculed the idea of their making an attempt on Washington, till within three days of the battle of Bladensburg.

One obvious plan of defence, which would have struck the mind of a mere tyro in military affairs, was to have garrisoned the capitol and the President's house, with as powerful a force as could conveniently operate there. The strength of these two buildings would have enabled the garrisons to hold out a long time, until troops could have been collected, to encounter the enemy.

It is not for me to decide on whom the censure ought to fall, on the president—the secretary at war—or the district general, Winder—or on the whole together. But let that point be determined as it may, it cannot be denied, that nothing but the most culpable neglect could have led to the results that took place—results which cannot fail to prove injurious to the national character in Europe, and which, had not the news of the exploits of the brave and illustrious Macdonough and Macomb, arrived there at the same time as the account of this disgraceful disaster, would have materially and perniciously affected the pending negotiation at Ghent.

General Wilkinson and General Hampton.

In military affairs, when there are combined operations undertaken, it is indispensably necessary that a good understanding should prevail between the several officers. A want of due attention to this obvious dictate of prudence and common sense, has caused the failure, among various nations, of operations of the utmost importance. It is one of those plain rules, which can hardly escape the discernment of a man of even mediocre capacity.

Nevertheless, the president (perhaps the secretary at war) committed the northern campaign of 1813, to Gen. Wilkinson and Gen. Hampton, between whom existed a high degree of hostility, which was sufficiently well known to have pointed out the folly and madness of the

procedure. The issue of the campaign was disastrous. And it is not improbable that a large portion, perhaps the whole of the disaster arose from a neglect of a rule so very rational that it is astonishing how it could have been overlooked.

Proceedings of Congress.

Among the grievous sins of the ruling party, I know of none much more culpable than the miserable mode in which the proceedings of Congress are managed.—Whatever may be the urgency of the public business, how ruinous soever may be delay, it appears utterly impossible to inspire that body with a due degree of energy or promptitude. Week after week, and month after month, pass over—and the public anxiously but in vain expect remedies to be applied to the disorders of the state. To a most culpable spirit of procrastination, and the *cacoethes loquendi*, this wretched waste of time and neglect of the public embarrassments may be fairly traced.

One or two powerful orators on each side take a comprehensive view of a subject. They exhaust it completely. They are followed by a crowd of speakers, who are unable to throw any new or important light on it—and whose speeches stand in the same relation to those of the early orators, that a hash warmed over a second or third time does to the original noble farloin of whose fragments it is formed. And thus is the money of the nation expended, and its hopes frustrated, merely that Mr. A, and Mr. B, and Mr. C may have an opportunity of making long speeches to prove to their constituents how wisely they have selected representatives.

I have not before me the debates of the British parliament—and therefore cannot with full confidence state what is actually their mode of proceeding. But it is strongly impressed on my mind that they generally decide on every question at one sitting. This at least I can

aver with the utmost certainty, that many of the most momentous questions, involving immediately the interests of 80,000,000 of people,* have been decided in this way after a debate from three o'clock in the afternoon, till three or four in the morning. And on these questions some of the greatest men in Europe have taken part on both sides—Eskine, and Fox, and Gray—Pitt, and Burke, and Wyndham.

A large portion of the people of this country have taken opposite sides respecting England, its manners, and its customs. One party blindly admire and copy—the other as blindly hate and despise every thing British.—They are both in equal error. England presents much to admire and copy—much to censure and avoid. It is highly desirable we should imitate her in this respect. I may treat this subject before I close my book with other views than that which led to introduce it here.

As respects the proceedings of Congress, a remedy ought to be applied immediately. The debates ought to be limited within reasonable bounds. And whenever the emergency of the case requires promptitude, the session ought to be continued till the subject is decided, unless its complication and difficulty may render such a plan improper.

What a lamentable prospect the country exhibits at the moment I am writing! It is now the sixth of December. Congress have been in session nearly three months.—They found the credit of the government laid prostrate—the seaboard exposed to depredation—the pay of the army in arrears—and every thing in a situation that was calculated to excite energy and decision among a nation of Sybarites. And what has been the result? There have been probably one or two hundred flowery speeches made—amendments innumerable—postponements sufficient—and only two important acts passed—one for borrowing three millions of dollars—and the other for buying or building 20 schooners.

* Including its East India possessions, the above is the number of the subjects of the British Empire.

To those who are actuated by a sincere regard for the welfare and safety of their country, these things must be a source of the most poignant uneasiness. They are utterly unaccountable, and irreconcilable with the plainest dictates of reason and common sense. Laying aside all considerations of public spirit or patriotism, a due regard to personal interest ought to prescribe a totally different line of conduct.

The majority have endeavoured to shelter themselves by throwing the blame on the minority who make those long speeches for the purpose of embarrassing them, and protracting their debates and proceedings. This plea will not stand examination. If it were valid, a minority of six or eight persons, possessed of the faculty of making "*long talks*," might at all times totally baffle a majority, and paralyze the motions of the government. Suppose each member of the minority to make a speech of a day or two on every subject that arose for discussion,—and allow a reasonable time for replication to the majority, and the whole year would be inadequate for that portion of business which the British parliament would with ease dispatch in a month.

Besides the delay arising from the displays of oratory which I have stated, there is another source of delay equally injurious. Private and trifling business obtrudes itself on the attention of congress, and occupies a large portion of the time which is loudly called for by the important affairs of the nation. The former ought to be postponed till the other is all dispatched.

Neglect of Public Opinion.

Of all the errors of the two administrations of Mr. Jefferson and Madison, the least criminal, but probably the most pernicious in its results, is, the indifference they have displayed towards the unfounded allegations whereby they were borne down, and their reputation and usefulness destroyed. This may have arisen from an ab-

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furd reliance on the good sense of the public—or on the
 rectitude of their own intentions—perhaps from their
 indolence or inattention. It was probably founded, if it
 arose from either of the two first motives, upon a trite,
 but fallacious maxim, which antiquity hath bequeath-
 ed us—*Magna est veritas et prævalebit*. Millions of
 times has this captivating maxim been pronounced; and
 it is almost universally admitted as incontrovertible. Yet
 the history of the world in almost every page bears testi-
 mony to its fallacy. Truth, unaided by industry and
 activity, and energy, combats at very unequal odds
 against falsehood, supported by these auxiliaries. That
 truth, *cæteris paribus*, is an overmatch for falsehood, I
 freely grant. But the friends of the former, if they rely
 wholly on its intrinsic merits, and do not exercise a due
 degree of vigilance, will be miserably deceived in their
 calculations.

A supposed case in point. A matron is charged with
 having been seen entering a brothel in the face of day,
 with a notorious seducer. The story spreads in every
 direction. It is universally believed. Her character is
 destroyed. She is shunned as contaminatory. Six
 months afterwards, she brings a host of unexceptionable
 witnesses to prove an alibi. They establish incontro-
 vertibly that at the time stated, and for months before
 and after, she was in China or Japan. These pains are
 in vain. Her character is gone. The waters of the At-
 lantic would not purify her. She pays for her neglect
 and her folly, the mighty forfeit of a destroyed repu-
 tation.

Thus has it been with the administrations of Mr. Jef-
 ferson and Mr. Madison. They have been charged with
 criminal conduct, frequently of the most flagrant kind.
 The charges have been passed over *sub silentio*, for a con-
 siderable time. Not being denied, they were presumed
 to be admitted. And in fact, how can the public deter-
 mine, whether silence under accusation arises from con-
 scious guilt, a reliance upon conscious rectitude, or a
 foolish and criminal neglect of public opinion?

I say, "*a criminal neglect of public opinion.*" This declaration is not lightly hazarded. The character of a public officer is in some sort public property. A private person may allow his character to be destroyed, without inflicting misfortune on any person but himself. But the destruction of the character of a public officer is really a public injury—as it materially impairs, if it does not destroy his usefulness.

There is in the history of Gen. Washington, a circumstance which I have always regarded as a departure from the sound, masculine good sense that almost universally presided over his conduct. During the revolutionary war, some of the British emissaries published a collection of letters ascribed to him, which were partly genuine, but interpolated by forgeries, and partly letters altogether forged. They were calculated to inspire strong doubts of his attachment to, and confidence in the revolution. They were edited by a masterly pen.

The attack was unavailing. The attachment and confidence in the general were unimpaired. The pamphlet sunk into oblivion.

In the year 1795, during the discussion that Jay's treaty caused, it was reprinted as if a genuine collection, and had an extensive circulation. Gen. Washington did not at the time notice it. He allowed it to take its course, apparently indifferent as to the consequences. But at the close of his public functions, he recorded in the office of the secretary of state a formal declaration of the forgery. I feel convinced the procedure was injudicious. If the pamphlet was entitled to any animadversion, the proper period was when it was republished, and of course when it would produce all the effect that could result from it on his public character.

The instances of neglects of this kind on the part of Mr. Jefferson and Mr. Madison, are numberless. I shall instance only two. A charge was brought forward against the former of having sent two millions of dollars to France for some secret and sinister purpose, which I cannot now recollect. It had been in universal circula-

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tion throughout the union, without any formal or satis-
 factory contradiction for some months. At length, after
 it had done all the mischief it was calculated to produce,
 an authentic documental denial crept out, *exactly like the
 lady's alibi, and with the same effect.*

One other instance, and I have done with this part of
 my subject. The offer of the Russian mediation was
 made by M. Daschkoff in March 1813. Mr. Pickering
 shortly afterwards published a series of letters on the sub-
 ject in Boston, which were republished in almost every
 town and city of the United States. He openly and un-
 qualifiedly asserted that the whole was a fraud and impos-
 ture—and solely calculated to delude the citizens into
 subscriptions for the pending loan.—He denied the offer
 altogether: and he boldly referred to M. Daschkoff, and
 to Dr. Logan, to prove his statements correct. If ever
 an accusation demanded attention and disapproval, this was
 of that description. It was advanced under his own
 signature by a man in high official station, and of very
 considerable standing with the opposers of the govern-
 ment. But the same fatal and unpardonable neglect
 took place as in so many other instances. And the alle-
 gation was allowed to take its full effect without any
 other attempt at counteraction, than two or three anony-
 mous paragraphs.

To render this error more palpable, a motion was made
 in senate for a disclosure of the correspondence on the
 2d of June, of which the government ought to have
 gladly availed itself. But it was rejected.

At length, when the whole affair had sunk into ob-
 livion, on the 7th of June, 1814, a motion was carried
 in the house of representatives, for the publication of
 the correspondence. It then appeared that the whole of
 the charges were calumnious and unfounded—that the
 transaction reflected a high degree of credit as well on
 the potent monarch, who took so warm an interest in
 our affairs, as on our government, for its prompt accept-
 ance of the mediation. But the disclosure was too late
 to counteract any of the pernicious effects that had re-

sulted from the accusation. Many persons to this day believe the whole transaction a deception.

Loans.

Another error of the federal government, pregnant with baleful consequences to the finances and credit of the country, was, depending on loans for the support of the war—and deferring the imposition of taxes adequate to erect the superstructure of public credit upon. This arose from the pernicious dread of forfeiting popularity—a dread often the parent of the most destructive measures. The consequence of this error has been, that the loans have been made to very considerable loss, and that the public credit of the nation has been most lamentably impaired.



I have now gone through a review of the chief of the errors and follies, the neglects and the mismanagements of the democratic party. I have detailed and canvassed them with the boldness and independence of a freeman. I have followed the sound advice of Othello :

“Nought extenuate—nor ought set down in malice.”

On many of these points I am greatly at variance with men of powerful talents belonging to that party. Some of my facts and opinions have been controverted by a critic of considerable acumen, in one of the daily papers. I have re-examined the various subjects embraced in this volume, and where I have found cause to change my opinion, I have unhesitatingly done so. My object is truth. I have pursued it steadily, and as far as I can judge of myself, without undue bias. But I well know how difficult it is for human weakness to divest itself of prejudice and partiality. To the candid reader, I submit the decision.

This detail of misconduct has been a painful task. Far more agreeable would it have been to have descanted on the merits and talents of the president and the other public functionaries. To a man of a liberal mind it is infinitely more agreeable to bestow the meed of praise, than to deal out censure. But a rough truth is preferable to a smooth falsehood. And whatever chance we have of arriving at the haven of peace and happiness, depends upon a fair and candid examination of ourselves, which must infallibly result in a conviction that, so great have been the errors, the follies, and the madness on both sides, that mutual forgiveness requires no effort of generosity—it is merely an act of simple justice.

Before I quit this branch of my subject, it is but proper to observe, that it is hardly possible to conceive of a more difficult and arduous situation than Mr. Jefferson and Mr. Madison have been placed in. They have had to struggle with two belligerents, one supremely powerful by land, and on that element holding in awe the chief part of the civilized world—the other equally powerful by sea :—and each in his rage against the other, violating the clearest and most indisputable rights of neutrals, and inflicting upon us, in a time of pretended peace, nearly as much injury as if we were ranked among the belligerents. And the divisions and distractions of the country, with the formidable opposition of a powerful party, embracing all the governments of New-England, and a considerable portion of the citizens of the rest of the union, must have caused the administration infinitely more trouble and difficulty than the two belligerents together. The federalists, as I shall shew more fully in the sequel, after goading the government into resistance, and vilifying them for not procuring redress, thwarted, opposed, and rendered nugatory every rational effort made to accomplish the very object they professed to seek—a degree of madness and folly never-enough-to-be-deplored.

CHAP. III.

The Federalists. The Federal Convention and Constitution. Complaints of the want of energy in the Constitution. Disorganizers and Jacobins. Alien and Sedition Laws. Loss of Power. Change of Views.

Having thus taken what I hope will be allowed to be a candid view of the errors and misconduct of the democratic party, it remains to perform the same office for their opponents. And I feel confident, it will appear that the latter have as much need to solicit forgiveness of their injured country, as the former. In the career of madness and folly which the nation has run, they have acted a conspicuous part, and may fairly dispute the palm with their competitors.

In the federal convention, this party made every possible exertion to increase the energy and add to the authority of the general government, and to endow it with powers taken from the state governments and from the people. Bearing strongly in mind the disorders and convulsions of some of the very ill-balanced republics of Greece and Italy, their sole object of dread appeared to be the inroads of anarchy. And as mankind too generally find it difficult to steer the middle course, their apprehensions of the Scylla of anarchy effectually blinded them to the dangers of the Charybdis of despotism. Had they possessed a complete ascendancy in the convention, it is probable they would have fallen into the opposite extreme to that which decided the tenor of the constitution.

This party was divided among themselves. A small but very active division were monarchists, and utterly disbelieved in the efficacy or security of the republican form of government, especially in a territory so extensive, as that of the United States, and embracing so numerous a population as were to be taken into the calculation at no distant period. The remainder were gen-

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vine republicans, men of enlightened views, and a high degree of public spirit and patriotism. They differed as widely from the democratic part of that body, as from the monarchists. It is unfortunate that their counsels did not prevail. For it is true in government, as in almost all other human concerns—

“In medio tutissimus ibis.”

Safety lies in the middle course. Violent and impetuous men lead themselves—and it is not wonderful they lead others astray. This party advocated an energetic, but at the same time a republican form of government, which on all proper occasions might be able to command and call forth the force of the nation.

The following letter sheds considerable light on the views of Alexander Hamilton, who took a distinguished part in the proceedings of that respectable body.—It is obvious that a president during good behaviour, could hardly be considered other than a president for life.

New-York, Sept. 16, 1803.

“MY DEAR SIR,—I will make no apology for my delay in answering your enquiry some time since made, because I could offer none which would satisfy myself—I pray you only to believe that it proceeded from any thing rather than want of respect or regard—I shall now comply with your request.

“The highest toned propositions which I made in the convention were for a president, senate and judges, during good behaviour; a house of representatives for three years. Though I would have enlarged the legislative power of the general government, yet I never contemplated the abolition of the state governments; but on the contrary, they were, in some particulars, constituent parts of my plan.

“This plan was, in my conception, conformable with the strict theory of a government purely republican; the essential criteria of which are, that the principal organs of the executive and legislative departments, be elected by the people, and hold their offices by a responsible and temporary or defeasible nature.

“A vote was taken on the proposition respecting the executive. Five states were in favour of it; among these Virginia; and though from the manner of voting by delegations, individuals were not distinguished; it was morally certain, from the known situation of the Virginia members (six in number, two of them Mason and Randolph

professing popular doctrines) that Madison must have concurred in the vote of Virginia—thus, if I sinned against republicanism, Mr. Madison is not less guilty.

"I may truly then say that I never proposed either a president or senate for life, and that I neither recommended nor meditated the annihilation of the state governments.

"And I may add, that in the course of the discussions in the convention, neither the propositions thrown out for debate, nor even those voted in the earlier stages of deliberation, were considered as evidences of a definite opinion in the proposer or voter. It appeared to be in some sort understood, that, with a view to free investigation, experimental propositions might be made, which were to be received merely as suggestions for consideration. Accordingly it is a fact, that my final opinion was against an executive during good behaviour, on account of the increased danger to the public tranquillity incident to the election of a magistrate of his degree of permanency. In the plan of a constitution which I drew up while the convention was sitting, and which I communicated to Mr. Madison about the close of it, perhaps a day or two after, the office of president has no longer duration than for three years.

"This plan was predicated upon these bases:—1. That the political principles of the people of this country would endure nothing but a republican government. 2. That in the actual situation of the country, it was itself right and proper that the republican theory should have a fair and full trial—3. That, to such a trial it was essential that the government should be so constructed as to give it all the energy and the stability reconcilable with the principles of that theory—These were the genuine sentiments of my heart, and upon them I then acted.

"I sincerely hope that it may not hereafter be discovered, that through want of sufficient attention to the last idea, the experiment of republican government, even in this country, has not been as complete, as satisfactory, and as decisive as could be wished.

Very truly, dear sir,

Your friend and servant,

A. HAMILTON.

Timothy Pickering, Esq.

In the conflict of opinion that took place in the convention, there was a necessity for a spirit of compromise, in order to secure success to their labours.—The tenacity of some leading men of adverse opinions had nearly rendered the effort abortive. According to Luther Martin, Esq. one of the Maryland delegates, the convention was several times on the verge of adjournment, *re infecta*. The good fortune of the nation prevailed, and after a session of about four months, the

constitution was finally agreed upon, and submitted to public discussion.

The federal party immediately took the reins, and administered the government of the United States for twelve years. During this period, its want of sufficient energy, and its danger from the state governments, were frequent subjects of impassioned complaint. Every man who opposed the measures of the administration, of what kind soever they were, or from whatever motives, was stigmatized as a disorganizer and a jacobin, which last term involved the utmost extent of human atrocity; a jacobin was, in fact, an enemy to social order—to the rights of property—to religion—and to morals—and ripe for rapine and spoil.

As far as laws could apply a remedy to the feebleness of the general government, they sedulously endeavoured to remove the defect. They fenced round the constituted authorities, as I have stated, with an alien and sedition law. By the former, they could banish from our shores obnoxious foreigners whose period of probation had not expired. By the latter, every libel against the government, and every unlawful attempt to oppose its measures, were subject to punishment, more or less severe, in proportion to its magnitude.

The alien law was not, as far as I can ascertain, ever carried into effect. It was hung up in terrorem over the heads of several foreigners, who, in the language of the day, were rank jacobins, and of course enemies of God and man. But the case was far different with the sedition law. Several individuals could bear testimony from experience, to the severity with which its sanctions were enforced. Some cases occurred of a tragical kind, particularly one in New-Jersey, in which the culprit was found guilty under this law for the simple wish that the wadding of a gun, discharged on a festival day, had made an inroad into, or singed the posteriors of Mr. Adams, then president of the United States.

But every thing in this sublunary world is liable to

revolution; and this is proverbially the case with power in a republican government. The people of the United States changed their rulers. By the regular course of election, they withdrew the reins from the hands of the federalists, and placed them in those of the democrats.

This was a most unexpected revolution to the federalists. It wholly changed their views of the government. It has been asserted in England that a tory in place, becomes a whig when out of place—and that a whig when provided with a place, becomes a tory. And it is painful to state that too many among us act the same farce. The government, which, administered by themselves, was regarded as miserably feeble and inefficient, became, on its transition, arbitrary and despotic; notwithstanding that among the earliest acts of the new incumbents, was the repeal not merely of the alien and sedition laws, but of some of the most obnoxious and oppressive taxes!

Under the effects of these new and improved political views, a virulent warfare was begun against their successors. The gazettes patronized by and devoted to federalism, were unceasing in their efforts to degrade, disgrace, and defame the administration. All its errors were industriously magnified, and ascribed to the most perverse and wicked motives. Allegations wholly unfounded, and utterly improbable, were reiterated in regular succession. A constant and unvarying opposition was maintained to all its measures, and hardly ever was there a substitute proposed for any of them. There was not the slightest allowance made for the unprecedented and convulsed state of the world. And never was there more ardour and energy displayed in a struggle between two hostile nations, than the opposition manifested in their attacks upon the administration. The ruinous consequences of this warfare, and its destruction of the vital interests of the nation, will fully appear in the sequel.

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CHAP IV.

British Orders in Council, November 1793. Enforcement of Rule of 1756. General clamour throughout the United States.

As all the difficulties and dangers of our country have sprung from the belligerent invasions of our rights, I shall commence the consideration of them from the British orders of 1793.

At that period, during the administration of General Washington, the following order was issued by the British privy council:—

“George R. Additional instructions, to all ships of war, privateers, &c.

“That they shall stop and detain all ships laden with goods, the produce of any colony belonging to France, or carrying provisions or other supplies for the use of such colonies, and shall bring the same, with their cargoes, to legal adjudication in our courts of admiralty.

“By his majesty’s command,

Signed,

“HENRY DUNDAS.”

Nov. 6, 1793.

This order was a most lawless invasion of our rights, unprecedented in extent, and incapable of pleading in its defence the right of retaliation. In a few weeks it swept the seas of our commerce. Hundreds of our vessels were captured: and many of our merchants, who had no more anticipation of such a system, than of an attack on their vessels by the subjects of the emperor of China, were absolutely ruined. The annals of Europe for the preceding century furnish no measure more unjustifiable.

The circumstances attending it, very highly aggravated the outrage. It was issued with such an extraordinary degree of secrecy, that the first account of its existence

that reached the London exchange, was conveyed with the details of the captures it authorized and occasioned. And the American minister at the court of St. James's, was unable to procure a copy of it till the 25th December.

This lawless procedure excited universal indignation in the United States. There was a general clamour for war among all parties. Several very violent measures were moved and debated in congress—among the rest, the sequestration of all British property in the United States, for the purpose of indemnifying our merchants. This, if my memory do not deceive me, was brought forward by Jonathan Dayton, of New-Jersey, a leading man among the federalists.

While congress were engaged in debating on the various modes of procuring redress, the president arrested them in their career, by the nomination of Judge Jay as minister extraordinary to seek redress from the British government.

This eventuated in the celebrated treaty which bears that minister's name, against which volumes of denunciations were published by the democrats, with numberless gloomy predictions, on nearly the whole of which, as I have already stated, time has stamped the seal of false prophecy.

From this period till the year 1805, the collisions between the two nations were inconsiderable.

The United States were in a most enviable state of prosperity in the years 1800, 1, 2, 3, 4 and 5. No nation ever enjoyed greater happiness. The exports had most wonderfully increased.

During the first four years of General Washington's administration, the whole value of the exports from this country fell short of 100,000,000 dollars, whereas during the years 1803, 4, 5 and 6, they were more than treble that amount.

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1803—	55,800,000
1804—	77,699,000
1805—	95,566,000
1806—	101,536,000
	330,601,000

Of this immense sum there were of foreign productions and merchandize, principally from the colonies of the enemies of Great Britain,

1803—	13,594,000
1804—	36,231,000
1805—	53,179,000
1806—	60,283,000
	163,287,000

which is nearly one half of the whole exports.

This excited the jealousy of Great Britain, who in the summer of 1805, adopted the rule of the war of 1756, which rendered illegal any commerce carried on by a neutral, with the colonies of a belligerent, during war, which was not permitted during peace. This rule was carried into operation, without any previous notice being given, whereby vessels and property to an immense amount were seized—carried into British ports—tried and condemned.

A circumstance attending this transaction, that greatly aggravated its injustice, was, that it was in direct hostility with previous decisions of the British courts of admiralty, which had legalized in the clearest and most explicit manner, the trade now proscribed, and subject to condemnation.

These proceedings excited a universal indignation throughout the United States. The mercantile part of

the community were exasperated to the utmost degree. The government was stigmatized as equally regardless of the honour and the interest of the nation, for not resisting these pretensions and not procuring redress for those depredations. A recurrence to the federal gazettes of that period will show that the party were then clamorous for war, if redress could not be procured for grievances incomparably less than those that finally provoked the declaration of war. But it may be said, and with some degree of truth, that newspapers are an equivocal criterion of the public opinion. This I admit. And I shall lay before the reader other and most unerring proofs of the mercantile temper of this period.

Meetings of the merchants were held in almost all the commercial towns and cities in the United States. The subject was eloquently discussed. And strong memorials were agreed upon, urging the president and congress to adopt such measures as might be necessary to procure redress. In these memorials, which were worded in the strongest language, the pretensions of England were treated as not far removed from actual piracy—as opening a door to the most flagrant frauds and impositions---as unworthy of a great and magnanimous nation---and as derogatory to the reputation and honour of an independent nation to submit to. Government was in the most impassioned stile invoked to resist such pretensions; and the memorialists generally *pledged themselves most solemnly to support it in the attempt.* As I shall devote a separate Chapter to the consideration of the policy of the mercantile part of the nation, I shall not here enquire how far these pledges were redeemed.

As these memorials are immensely important in the formation of a correct estimate of the policy of the government, I shall make very copious extracts from them. They are most precious documents, and present a round unvarnished tale of the outrages experienced by American commerce, and the extravagant pretensions of Great Britain.

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CHAP. V.

Boston Memorial. Strong stile. British pretensions destructive of the navigation of neutral nations. Duty of the United States to oppose these pretensions.—Energetic call for adequate measures to protect commerce.

The Boston merchants, after glancing at the vexations, insults, and barbarities suffered from France and Spain, pass on to the consideration of the grievances inflicted by the British. They state that

"It is their object in the present memorial, to confine their animadversions to the more alarming, because more numerous and extensive detentions and condemnations of American vessels by Great Britain; and to advert to the principles recently avowed, and adopted by her courts, relative to neutral trade in articles of colonial produce.—Principles, which, if admitted, or practised upon in all their latitude, which may fairly be inferred to be intended, would be destructive of the navigation, and RADICALLY IMPAIR THE MOST LUCRATIVE COMMERCE OF OUR COUNTRY.—Principles that had been virtually abandoned subsequently to their first avowal even during an intermediate and inveterate war, and during the prosecution of a trade which is now interdicted and alleged to be illegal, but which trade was at that time sanctioned by the promulgated decisions of her courts, and by an official communication from one of the highest organs of the very government, which is now attempting to destroy it, and with its suppression to ANNIHILATE, OR GREATLY DIMINISH THE COMMERCE OF NEUTRAL NATIONS

"There is great cause to apprehend, that the British government mean to set up as a principle, that she has a right to interdict all commerce by neutrals, to the ports of her enemies, which ports had not been opened previously to the commencement of hostilities;—that if she permits a trade with them in any degree, she has a right to prescribe the limits of it; to investigate the intention of the parties prosecuting it; and if such intention be not the actual disposition of the property in the neutral country, to consider the merchandise, even after the importation into such country, after having been landed therein, warehoused, and the duties paid on it, as *only in the stage of a continued and direct voyage from the colony to the mother country, or vice versa*; and therefore illegal, and liable to condemnation.

"In some instances, your memorialists find new vessels, on their first passage from the United States to Europe, or *east*, carried out of their course, and injuriously detained under the vexatious pretence of a con-

tinuity of voyage from the country or colony of a belligerent. In another instance they have witnessed a vessel captured and condemned under the most frivolous pretext, when in the prosecution of an acknowledged and permitted trade, under circumstances which banished every shadow of doubt, as to the real destination of the vessel, the identity of the owners, or the actual intention of the parties.

"These few instances they have thought it needful to notice, in order to demonstrate, that unless the present disposition of the British admiralty courts, and navy officers, can be counteracted and removed, a widely dispersed and unprotected commerce, extending to every region of the globe, will only serve to INVITE DEPREDA-TION, TO BANKRUPT OURSELVES, AND ENRICH OTHERS, UNTIL SUCH COMMERCE BE SWIFT FROM THE FACE OF THE OCEAN, and leave nothing in its stead, but sentiments of hostility and acts of contention.

"A tacit submission to pretensions thus lofty and comprehensive, but which your memorialists trust are most of them untenable, would they conceive, be AN ABANDONMENT OF RIGHTS OPENLY RECOGNIZED, AND A DERELICTION OF THE MOST IMPORTANT COMMERCIAL INTERESTS OF OUR COUNTRY.

"Reason, and the most powerful considerations of equity, enjoin it as A DUTY ON THE UNITED STATES TO OPPOSE THESE PRETENSIONS; for circumstanced as these states are, possessing an immensely extended and fertile territory, producing mostly the necessities of life, which, with the merchandize obtained from abroad by the industry and enterprize of her citizens, she is obliged to barter, or furnish in payment for importations of foreign produce or manufactures; it behoves her strenuously to contend for the right of an open commerce in innocent articles between other nations that are willing to accord it, and herself; for if the right be not both claimed and admitted, scarcely any of the European powers can in future be engaged in warfare, without making the United States, in opposition both to her efforts and wishes, EITHER A VICTIM OR PARTY IN THE CONTENT

"Your memorialists conceive these pretensions afford constant sources of collision, continually tending to involve these states in the issue of European wars, and would oblige the government on the occurrence of such wars, speedily to unite with one or other of the parties in order that the commerce of the country might lawfully avail itself of some degree of security, from the protection which its own force, and that of its allies could afford. To this state of things, your memorialists believe it can neither be the interest nor wish of the British government to reduce our country

"The most tenacious advocates for the rights of belligerents admit that during war, neutrals have a right to enjoy in the utmost latitude, the trade to which they had been accustomed in time of peace. Now if the belligerent has the right to blockade an extended sea coast, and to exclude neutrals from, perhaps, fifty different ports, (as was the case with the French ports in the channel during the last war,) how can the neutral enjoy his own peace trade in its greatest latitude, unless this deprivation is *balanced* by another trade, which

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was opened to him during the war?—As to the inquisitorial right of search into the ownership of neutral property set up by Great Britain, and the doctrine appended to it, that a neutral importer shall not again export his goods, but that they shall be first alienated and pressed into the possession of others—your memorialists believe them to be **UNSOUND IN POINT OF PRINCIPLE, OFFENSIVE IN PRACTICE, AND NULL IN EFFECT.**

“Your memorialists would with reluctance believe that the sacred tribunals of justice have become subservient to motives of political expediency, more especially in a nation whose judicial proceedings have frequently deserved, and commanded the respect of all civilized countries—yet they know not easily how to reconcile on any other grounds, the contradictory proceedings of the British admiralty courts, during the last and present war.

“At any rate, whether the doctrine were sound or not, or whether it injured Great Britain or not, it cannot become the integrity and magnanimity of a great and powerful nation, at once, and without notice, to reverse her rule of conduct towards other states, and **TO PREY UPON THE UNPROTECTED PROPERTY OF A FRIENDLY POWER**, the extension of whose commerce had been invited by the formal avowal of her intentions, and prosecuted, under allegiance on her good faith, and from the confidence reposed, that her courts, uniform in their principles, would never be influenced by the time-serving politics of the moment.

“In all events, fully relying that the subject of our difference with Great Britain will receive the due consideration of government; and that such measures will in consequence be promptly adopted as will tend to **DISEMBARRASS OUR COMMERCE—ASSERT OUR RIGHTS—AND SUPPORT THE DIGNITY OF THE UNITED STATES.**

“Your memorialists have the honour to remain, in behalf of their constituents and themselves, most respectfully,

James Lloyd, jun.
David Green,
Arnold Welles,
David Sears,

John Jones,
George Cabot,
Thomas Perkins.

Boston, Jan 20, 1806.

To this memorial I request the particular attention of the reader. No man can pretend to form a correct opinion on the conduct of the two parties that divide the nation, without being fully possessed of the tenor of this and the other similar documents. Besides the contents, I wish two of the signatures to be most particularly adverted to. They are those of George Cabot and James Lloyd, jun. The former gentleman is now on his way to the convention at Hartford, whose pro-

fessed object is to form some association among the commercial states for the protection of commerce.

This gentleman explicitly states, that unless "*the present disposition*" that is, the disposition in 1805; for as the remonstrance was drafted in January, 1806, it must refer to the proceedings of the preceding year) "of the British admiralty courts, and navy officers can be counteracted and removed, *a widely dispersed and unprotected commerce, extending to every region of the globe,* will only serve to invite depredation, to BANKRUPT OURSELVES, and ENRICH OTHERS, until such commerce be swept from the face of the ocean."

Mr. Cabot further states, that "*a tacit submission to pretensions thus lofty would be an abandonment of rights openly recognized, and A DERELICTION OF THE MOST IMPORTANT COMMERCIAL INTERESTS OF OUR COUNTRY.*"

And he adds—"Reason and the most powerful considerations of equity enjoin it as *a duty on the United States to oppose these pretensions.*"

He further states, that *these pretensions are "unsound in point of principle, offensive in practice, and nugatory in effect."*

And by way of capping the climax, he explicitly charges Great Britain, with "**PREYING UPON THE UNPROTECTED PROPERTY OF A NEUTRAL POWER.**"

He and his friends then call upon the government "promptly to adopt such measures as might *dismbar-rass our commerce—assert our rights—and support the dignity of the United States.*"

This call, so strong and so solemn, implied with equal strength and solemnity a pledge of support. It behoves Mr. Cabot, who is now called on publicly in the face of his country, to point out any instance in which he lent his aid to the government in the pursuit of redress.

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CHAP. VI.

Extracts from New-York Memorial. Equally explicit and pointed with that from Boston. The pretensions of Great Britain a violation of the law of nations. A strong and peremptory call for resistance on the part of the government. Solemn pledge of support. Long list of signers.

"They have been suddenly confounded by unexpected intelligence of the arrestation, on the high seas, of a large portion of their property, which had been embarked with the most unsuspecting confidence. The feelings of your memorialists are not only excited by the losses which they have actually sustained, in consequence of a measure insusceptible of previous calculation, but, also, from the state of uncertainty in which they are placed with respect to future commercial operations.

"In the recent decision, which prohibits an importer of colonial produce from exporting it to Europe, they perceive with concern, either a nugatory and vexatious regulation, or a meditated blow at what they deem an incontestable and valuable right.

"If the arrival of a ship, in the country to which it belongs; the landing of the cargo; the inspection of the custom-house; the payment or security of duties, do not terminate a voyage, then we confess our ignorance on a point which, never having been before questioned, has been assumed by us as an acknowledged truth. If the entry for exportation; the embarkation of merchandize; the reinspection of the custom-house; the bond for securing a delivery in a foreign country; and a public clearance do not indicate the commencement of a new voyage—then we are yet to learn the meaning of the expression.

"But these embarrassments, though perplexing and vexatious, are not those which principally occasion our solicitude; we are compelled to consider the late decisions of the British tribunals as preliminary steps towards a system for controlling the importations and exportations of colonial productions, and thereby **ANNIHILATING THE MOST LUCRATIVE BRANCHES OF OUR COMMERCE.** If we owed this trade solely to the favour of Great Britain, still we might ask what urgent motive, what imperious necessity, required that the favour should be resumed at a period when our commerce was spread over the ocean, and when a change so essential might destroy its security, and subject us to incalculable losses. We deny, however, that the rights of commerce, as claimed by us are to be deemed favours; on the contrary, *if the law of nations is other than a temporary rule, prescribed by an arbitrary will, and enforced by power,* then we appeal to its most universal and inviolable principle in our defence. This principle is, that the goods of a neutral, consisting of articles not contraband of war, in a neutral vessel, employed in a direct trade between neutral countries and ports of a belligerent country not invested or blockaded, are protected.

"Whatever theoretical opinions may therefore have been advanced, there has existed no such practical rule; which, under the unparalleled

circumstances of the present war, MUST INFALLIBLY DESTROY THE COMMERCE OF THIS COUNTRY.

"With these preliminary facts in view, we request permission to detail some of the most important consequences of the assumed rule, that neutrals may be restrained in time of war to their accustomed trade in time of peace. The injustice of such a rule, in relation to the United States, will be most manifest; the individuals employed in commerce would not alone be affected: *all the internal relations of our country would be disturbed, the interests of those districts which are most remote from our principal ports, would, in proportion to their dependence on foreign supplies, be most severely depressed.*

"If Great Britain permits commerce between her subjects and the colonies of her enemies, may we not with the consent of those colonies, participate in the same commerce? If our commerce with the enemies of Great Britain may now be confined to the system established in time of peace, may we not apprehend that the principle will be retaliated in respect to our commerce with the colonies of Great Britain? In that case, WHAT CAN ENSUE BUT WAR, PILLAGE AND DEVASTATION?

"These are not imaginary suppositions. They illustrate the most important principles of our commerce. They evince the necessity of a circuitous trade, to enable us to realize the great value of exports of our own native productions, by which, alone, we acquire the power to liquidate the balance against us, in our commerce with Great Britain; they demonstrate, that the position against which we contend, is not a rule of the law of nations. *The law of nations ordains no rule, which is unequal and unjust.*

"It is, however, with much surprise, that we have recently discovered that the very circumstances upon which our hopes of security were reposed, have been urged as arguments to justify an invasion of our rights; and that *having totally suppressed the external commerce of her enemies, Great Britain is now counselled to appropriate to herself that of her friends.*

"Surely the security of neutral rights ought not to diminish, as their value is augmented. Surely a maritime preponderancy which enables its possessor to blockade any of the ports of its enemies, conveys no just title to a monopoly of the commerce of the world.

"In the list of our complaints we cannot forbear to enumerate the humiliating and oppressive conduct of ships of war in the vicinity of our coasts and harbour. We respect the principle and emulate the conduct of Great Britain, in regard to her own jurisdiction: and we wish merely to claim for ourselves the same measure of justice, which she exacts from others.

"This view of the subject, while it excites our anxiety, furnishes, also, a resource for our hopes; we wish only for justice, and believing that a commercial nation which disregards justice, thereby undermines the citadel of her power; we rely on the effect of mutual interests and wishes in promoting a cordial explanation and fair adjustment of every cause of misunderstanding; in particular, *we rely on the government of our country, that our rights will not be abandoned, and that no argument in favour of an usurpation will ever be derived from our acquiescence.*

"Your memorialists conclude with remarking, that they deem the present situation of public affairs to be peculiarly critical and perilous; and such as requires all the prudence, the wisdom and the energy of the government, supported by the co-operation of all good citizens. By

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mutual exertions, under the benign influence of providence upon this hitherto favoured nation, we hope the clouds which threaten to obscure its prosperity may be dissipated. **AND WE PLEDGE OUR UNITED SUPPORT IN FAVOUR OF ALL THE MEASURES ADOPTED TO VINDICATE AND SECURE THE JUST RIGHTS OF OUR COUNTRY.**

New York, Dec. 28, 1805:

Signed on behalf of the merchants, by

John Broome, chairman,
Oliver Wolcott,
John Franklin,
Isaac Lawrence,
Thomas Carpenter,
John Taylor,
Henry J. Wyckoff,
George M. Woolsey,
David M. Clarkson,
Goelet Hoyt,
Elisha Coit,
John B. Murray,
Leffert Lefferts,
Samuel A. Laurence,
Robert Lenox,
John Murray,
George Griswold,
Henry Post,
John R. Livingston,
William Henderson,
Daniel Ludlow,
Samuel Russel,
James Ardon,
William Lovet,
Edmond Seaman,

James Maxwell,
Ben. Bailey,
Thomas Farmer,
W. Edgar,
Wynant Van Zandt,
Charles Wright,
John De Peyster,
J. Clason,
Wm. Clarkson,
John B. Coles,
Archibald Gracie,
Benjamin G. Minturn,
William Bayard,
Gulian Ludlow,
Eben Stevens,
Rensselaer Havens,
Peter Shermerhorn,
Wm. W. Woolsey,
James Scott,
John P. Mumford,
Charles M'Fivers, jun.
John Kane,
John Clendining,
Wm. Codman.

CHAP. VII.

Extracts from the Memorial of the Merchants of Philadelphia.

I proceed to state the sentiments of the merchants of the great city of Philadelphia, on this invasion of their rights and the rights of the nation. We shall see that they felt the same sense of the injustice of these measures, with their brethren of Boston and New-York—made the same strong requisition for protection—and gave an equal pledge of full support. They state that a submission to these claims of Great Britain, “*would produce the ruin of individuals—the destruction of their commerce—and the degradation of their country.*”

To prevent these mighty evils, they required the interference of the government, which, at their requisition, did interfere. We shall see the result.

“A jealousy of our enterprize and prosperity has excited a design of checking the commercial growth of our country, the fruit of which has been an attempt to innovate upon ancient and approved principles, and introduce unheard of articles and provisions into the code of public law.

“We moreover foresee, in the prevalence of the principles, and in the continuance of the practices alluded to, nothing but **THE RUIN OF INDIVIDUALS, THE DESTRUCTION OF THEIR COMMERCE, AND THE DEGRADATION OF THEIR COUNTRY.** Could the judgment or even the charity of your memorialists see, in the new doctrines of the British court, nothing but the revival and enforcement of an ancient and established principle which friendship had relaxed, or favour permitted to slumber, they might regret the departed good, but could impute no injustice to the hand that withdrew it. They are struck, however, with the novelty of these doctrines; *their unequivocal hostility to neutral interests and rights; their inconsistency with former declarations of their ministry, and decisions of their courts; and with the extraordinary time and manner of their annunciation.*

“That policy, not justice,—that interest, not fair and admitted precedent, have given birth to the principle, that neutrals should be restricted to the same commerce with a belligerent, which was allowed to them by that power in time of peace, is conceived by your memorialists to be incompatible with the general freedom of neutral commerce. This rule has the sanction of no common observance by civilized nations, and cannot bear that faithful test which every fair and righteous principle of the law of nations will abide.

"The effect of this novel principle upon neutral interests is of the most serious and alarming character. IT GOES TO NOTHING SHORT OF THE DESTRUCTION OF NEUTRAL COMMERCE; and from the well known neutral situation and character of the United States, to nothing short of inflicting a most deep and deadly wound upon their trade.

"But your memorialists cannot but consider, that this principle has not the weight of a consistent and uniform support by the government which professes to uphold it. In 1801 the declarations of its ministry and the decisions of its courts, were, unequivocally, "that the produce of the colonies of the enemy may be imported by a neutral into his own country, and be re-exported from thence, even to the mother country of such colony;" and also; "that landing the goods and paying the duties in the neutral country, breaks the continuity of the voyage, and is such an importation as legalises the trade, although the goods be reshipped in the same vessels, and on account of the same neutral proprietors, and forwarded for sale to the mother country." In 1805, it is decided, that landing and paying duties does not break the continuity of the voyage; and that the course of trade pointed out to the neutral four years before, as legal and safe, is now unsatisfactory to the belligerent, and ATTENDED INFALLIBLY WITH CONFISCATION. What clear and immutable principle of the law of nations, can that be, your memorialists would ask, which is supported by the high court of admiralty, and avowed by the ministry in 1801, and which is prostrated by the ministry and the high court of appeals in 1805? *such a principle must be considered as partaking rather of the shifting character of convenience, than of that of permanent right and established law.*

"The time and manner of announcing it accord with the principle itself. At a moment when mercantile enterprize, confiding in the explanations on this point given by the British ministry to our ambassador, was strained to the utmost, a new decision of the court of appeals is announced, and *Every sail is stretched to collect the unwary Americans, who are unsuspectingly confiding in what was the law of nations*

"In the principles they have here submitted to your consideration, they feel all the confidence of justice, and all the tenacity of truth. *To surrender them, they conceive, would derogate from the national character and independence of the United States*. From the justice of government they hope for their avowal; from the spirit of government *they hope for their defence*; and from the blessings of heaven they hope for their establishment.

"As citizens, they claim protection; and they conceive that the claim is enforced by the consideration, that from their industry and enterprize, is collected a revenue which no nation has been able to equal, without a correspondent expense for the protection of the means.

"To preserve peace with all nations, is admitted without reserve, to be both the interest and the policy of the United States. They therefore presume to suggest, that every measure, *not inconsistent with the honour of the nation*, by which the great objects of redress and security may be attained, should first be used. If such measures prove ineffectual, *whatever may be the sacrifice on their part, it will be met with submission*. But whatever measures may be pursued by their government, your memorialists express the firmest faith, that every caution will be used to preserve private property and mercantile credit from violation."

Thos. Fitzsimons, chairman. R. E. Hobart, Sec.



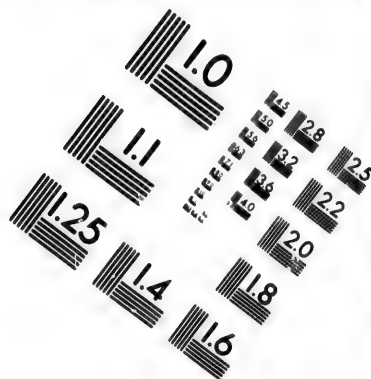
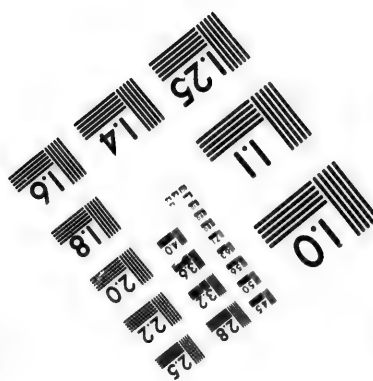
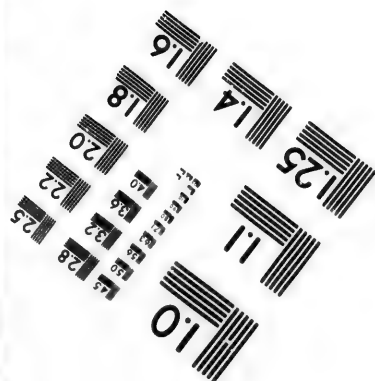
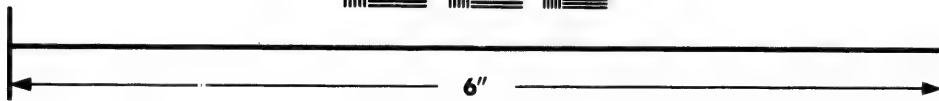
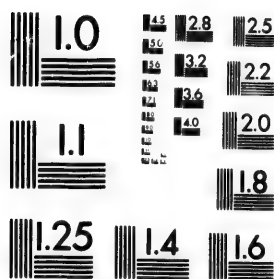


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John Craig,
W. Sims,
Robert Halston,
James Yard,
Jacob Gerard Koch,
Thomas W. Francis,
Thomas English,
Joseph S. Lewis,
William Montgomery,

Abraham Kintzing,
Philip Nicklin,
Thomas Allibone,
George Latimer,
Chandler Price,
L. Clapier,
Daniel W. Coxe,
Robert Wald,
Manuel Eyre.

The preceding list embraces decided men of both the hostile parties, and of various nations—Americans, English, Irish, French, and Dutch.

CHAP. VIII.

Extracts from the Memorial of the Merchants of Baltimore.

The memorial of the merchants of Baltimore is more diffuse and more argumentative than any of the preceding. It is a most masterly composition—and may be regarded as a complete and unanswerable defence of neutral rights against belligerent pretensions and encroachments. Its maxims ought to be committed to memory by every statesman in all countries whose interest it is to preserve a neutral situation.

“It would not be desired that the state of things, which Great Britain had herself prescribed, and which use and habit had rendered familiar and intelligible to all, should be disturbed by oppressive innovations; far less that these innovations should, by a tyrannical retrospection, be made to justify the seizure and confiscation of their property, committed to the high seas, under the protection of the existing rule, and without warning of the intended change. In this their just hope, your memorialists have been fatally disappointed. Their vessels and effects, to a large amount, have lately been captured by the commissioned cruizers of Great Britain, upon the foundation of new principles, suddenly invented and applied to this habitual traffic; and suggested and promulgated, for the first time, by sentences of condemnation; by which, unavoidable ignorance has been considered as criminal, and an honourable confidence in the justice of a friendly nation pursued with penalty and forfeiture.

“Your memorialists are in no situation to state the precise nature of the rules to which their most important interests have been thus sacrificed: and it is not the least of their complaints against them, that

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they are undefined and undefinable; equivocal in their form, and the fit instruments of oppression by reason of their ambiguity.

"Your memorialists will not here stop to enquire upon what ground of law or reason the same act is held to be legal, when commenced with one intention, and illegal when undertaken with another. But they object, in the strongest terms, against this new criterion of legality, because of its inevitable tendency to injustice: because of its peculiar capacity to embarrass with seizure, and ruin with confiscation, the whole of our trade with Europe in the surplus of our colonial importations.

"If the consequences to that traffic were not intended to be serious, and extensive, and permanent, your memorialists search in vain for the motive, by which a state, in amity with our own, and moreover connected with it by the ties of common interest, to which many considerations seem to give peculiar strength, has been induced to indulge in a paroxysm of exasperated aggression upon our rights, by which it dishonours itself, without promoting any of those great interests for which an enlightened nation may fairly be solicitous, and which only a steady regard to justice can ultimately secure. When we see a powerful state, in possession of a commerce, of which the world affords no examples, endeavouring to interpolate into the laws of nations casuistical niceties and wayward distinctions, which forbid a citizen of another independent commercial country to export from that country what unquestionably belongs to him, only because he imported it himself, and yet allow him to sell a right of exporting it to another; which prohibit an end because it arises out of one intention, but permit it when it arises out of two;—which, dividing an act into stages, search into the mind for a correspondent division of it in the contemplation of its author, and determine its innocence or criminality accordingly; which, not denying that the property acquired in an authorized traffic by neutral nations from belligerents, may become incorporated into the national stock, and, under the shelter of its neutral character, thus superinduced, and still preserved, be afterwards transported to every quarter of the globe, reject the only epoch which can distinctly mark the incorporation, and point out none other in its place;—which proposing to fix with accuracy and precision, the line of demarcation, beyond which neutrals are trespassers upon the wide domain of belligerent rights, involve every thing in darkness and confusion; there can be but one opinion as to the purpose which all this is to accomplish.

"For the loss and damage which capture brings along with it, British courts of prize grant no adequate indemnity. Redress to any extent is difficult—to a competent extent impossible. And even the costs which an iniquitous seizure compels a neutral merchant to incur, in the defence of his violated rights, before their own tribunals, are seldom decreed, and never paid.

"The reasons upon which Great Britain assumes to herself a right to interdict to the independent nations of the earth, a commercial intercourse with the colonies of her enemies (out of the relaxation of which pretended right has arisen the distinction in her courts, between an American trade from the colonies to the United States, and from the same colonies to Europe) will, we are confidently persuaded, **BE REPELLED WITH FIRMNESS AND EFFECT BY OUR GOVERNMENT.**

"She forbids us from transporting in our vessels, as in peace we could, the property of her enemies; enforces against us a rigorous

list of contraband ; dams up the great channels of our ordinary trade ; abridge, ; trammels and obstructs what she permits us to prosecute ; and then refers us to our accustomed traffic in time of peace for the criterion of our commercial rights, in order to justify the consummation of that ruin, with which our lawful commerce is menaced by her maxims and her conduct.

" This principle, therefore, cannot be a sound one. It wants uniformity and consistency ; is partial, unequal, and delusive. It makes every thing bend to the rights of war ; while it affects to look back to, and to recognize, the state of things in peace, as the foundation and the measure of the rights of neutrals. Professing to respect the established and habitual trade of the nations at peace, it affords no shadow of security for any part of it. Professing to be an equitable standard for the ascertainment of neutral rights, it deprives them of all body and substance, and leaves them only a plausible and unreal appearance of magnitude and importance. It delivers them over, in a word, to the mercy of the states at war, as objects of legitimate hostility ; and while it seems to define, does in fact extinguish them. Such is the faithful picture of the theory and practical operations of this doctrine.

" The pernicious qualities of this doctrine are enhanced and aggravated, as from its nature might be expected, by the fact that Great Britain gives no notice of the time when, or the circumstances in which, she means to apply, and enforce it. Her orders of the 6th November, 1793, by which the seas were swept of our vessels and effects, were, for the first time, announced by the ships of war and privateers, by which they were carried into execution.

" The late decisions of her courts, which are in the true spirit of this doctrine, and are calculated to restore it in practice, to that high tone of severity, which milder decisions had almost concealed from the world, came upon us by surprize ; and the captures, of which the Dutch complained, in the seven years war, were preceded by no warning. Thus is this principle most rapacious and oppressive in all its bearings. Harsh and mysterious in itself, it has always been, and ever must be used to betray neutral merchants into a trade, supposed to be lawful, and then to give them up to pillage, and to ruin.

" But there can be no security while a malignant and deceitful principle like this hangs over us. It is just what the belligerent chooses to make it, lurking, unseen, and unfelt, or visible, active and noxious. It may come abroad when least expected, and the moment of confidence may be the moment of destruction. It may sleep for a time ; but no man knows when it is to awake, to shed its baleful influence upon the commerce of the world. It clothes itself, from season to season, in what may be called relaxations ; but again without any previous intimation to the deluded citizens of the neutral powers, these relaxations are suddenly laid aside, either in the whole, or in part, and the work of confiscation commences. Not ten months of the late war had elapsed before it announced itself at all ; and, when it did so, it was in its most formidable shape, and in its fullest power and expansion.

" Your memorialists feel themselves bound to state that, according to authentic information lately received, the government of Great Britain does, at this moment, grant licences to neutral vessels taking in a proportion of their cargoes there, to proceed on trading

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voyages to the colonies of Spain, from which she would exclude us; upon the condition, that the return cargoes shall be carried to Great Britain, to swell the gains of her merchants, and to give her a monopoly of the commerce of the world. This great belligerent right, then, upon which so much has been supposed to depend, sinks into an article of barter. It is used, not as a hostile instrument, wielded by a warlike state, by which her enemies are to be wounded, or their colonies subdued, but as the selfish means of commercial aggrandizement, to the impoverishment and ruin of her friends; as an engine by which Great Britain is to be lifted up to a vast height of prosperity, and the trade of neutrals crippled, and crushed, and destroyed. Such acts are a most intelligible commentary upon the principle in question. They shew that it is a hollow and fallacious principle, susceptible of the worst abuse, and incapable of a just and honourable application. They shew that, in the hands of a great maritime state, it is not, in its ostensible character of a weapon of hostility, that it is prized; but rather as one of the means of establishing an unbounded monopoly, by which every enterprize calculated to promote national wealth and power, shall be made to begin and end in Great Britain alone. Such acts may well be considered as pronouncing the condemnation of the principle against which we contend, as withdrawing from it the only pretext, upon which it is possible to rest it — Great Britain does not pretend that this principle has any warrant in the opinion of writers on public law. She does not pretend, and cannot pretend that it derives any countenance from the conduct of other nations. She is confessedly solitary in the use of this invention by which **RAPACITY IS SYSTEMATIZED**, and a state of neutrality and war are made substantially the same. In this absence of all other authority, her courts have made an appeal to her own early example, for the justification of her own recent practice. Your memorialists join in that appeal as affording the most conclusive and authoritative reprobation of the practice, which it is intended to support by it.

"The solemn renunciation of the principle in question, in the face of the whole world, by her highest tribunal in matters of prize, reiterated in a succession of decrees, down to the year 1786, and afterwards, is powerfully confirmed by the acquiescence of Great Britain, during the first, most important, and active period of the late war, in the free and unlimited prosecution, by neutrals, of the whole colony trade of France. She did indeed, at last, prohibit that trade, by an instruction, **UNPRECEDENTED IN THE ANNALS OF MARITIME DEPREDATIONS**; but the revival of her discarded rule, was characterized with such circumstances of iniquity and violence, as rather to heighten, by the effect of contrast, the veneration of mankind for the past justice of her tribunals. The world has not forgotten the instruction to which we allude, or the enormities by which its true character was developed. Produced in mystery at a moment when universal confidence in the integrity of her government had brought upon the ocean, a prey of vast value and importance; sent abroad to the different naval stations, with such studied secrecy that it would almost seem to have been intended to make an experiment,

HOW FAR LAW AND HONOUR COULD BE OUTRAGED BY A NATION PROVERBIAL FOR RESPECTING BOTH—
the heralds by whom it was first announced, were the commanders of her commissioned cruisers, who at the same instant carried it into effect, with every circumstance of aggravation, if, of such an act, there can be an aggravation. Upon such conduct there was but one sentiment. It was condemned by reason and justice. It was condemned by that law which flows from, and is founded upon them. IT WAS CONDEMNED AND WILL FOREVER CONTINUE TO BE CONDEMNED. BY THE UNIVERSAL VOICE OF THE CIVILIZED WORLD."

Thomas Tenant,
 William Wilson,
 Luke Tiernan,
 John Donnel,
 T. Swan,
 Wm. Lorman,
 Thos. Hollingsworth,
 Joseph Steret,
 Wm. Taylor,
 George Stiles,
 Steuart Brown,
 Robert Gilmor,
 J. A. Buchanan,

John Collins,
 James Calhoun,
 Alexr. M'Kim,
 David Stewart,
 Samuel Steret,
 Wm. Patterson,
 Mark Pringle,
 Hugh Thompson,
 John Sherlock,
 John Stricker,
 Samuel Taylor,
 Henry Payson,
 Benj. Williams.

Baltimore, Jan. 21, 1806.

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CHAP. IX.

New-Haven. Decisive call for resistance. Unlimited pledge of support.—Extracts from Memorial of Merchants of Newburyport. Reliance on wisdom, firmness and justice of the government.

Extracts from the Memorial of the Chamber of Commerce of New-Haven.

"Your memorialists cannot behold, without surprise and regret, a powerful and respectable nation, bending the principles of the common law of nations, to answer political purposes, and introducing a versatile policy into the solemn adjudications of her courts. *We hold it to be extremely important that all nations should combine against such innovations of their rights; and in particular that the United States, whose geographical position gives them the best chance of maintaining neutrality, during wars in Europe, should FIRMLY RESIST every encroachment upon the rights of neutral commerce.*

"With these impressions of the necessity of measures for defending our commercial rights, which shall be firm, but temperate—and bold, yet marked with a spirit of conciliation, your memorialists cordially unite with their fellow-citizens of other commercial towns, in expressing their sentiments freely to the legislative and executive authorities of their country; with assurances of their disposition to give aid and support to **EVERY MEASURE** of government calculated to accomplish this important object.

Signed by order,

HENRY DAGGET, President
of the Chamber of Commerce.

New-Haven, Feb. 7, 1806.

Extract from the Memorial of the Merchants of Newburyport.

"In many cases our vessels and cargoes have been captured, tried and condemned in courts of law, under unusual and alarming pretences, which, if permitted to continue, threaten the ruin of our commercial interests.

"So far from obtaining redress of our grievances by the ordinary modes and processes of law, we have in most cases been subject to heavy costs, and suffered embarrassing and distressing detention of property, even where no pretence could be found to authorize the seizure of it.

"Having sustained these losses and injuries in the prosecution of our lawful commerce, and in the exercise of our just rights, we rely

with confidence on the wisdom, firmness, and justice of our government, to obtain for us that compensation, and to grant to us that protection, which **A REGARD TO THE HONOUR OF OUR COUNTRY,** no less than the rights of our citizens must dictate and require.

Ebenezer Stocker,
Stephen Howard,
Edward Tappan,
John Pearson,

William Bartlet,
Moses Brown,
William Faris,

} Committee.

Newburyport, Dec 1805.

As the same outrages were experienced by the citizens of New-Haven and Newburyport as elsewhere, we find the same stile of complaint—the same call for redress—the same pledge of support—in the one case explicitly expressed, in the other unequivocally implied.

CHAP. X.

Salem. Sound reasoning. Britain carries on a commerce with her enemy which she declares illegal in a neutral. Most solemn pledge of support.

Extracts from the Memorial of the inhabitants of the town of Salem, Ms.

“On ordinary occasions they have deemed it unnecessary to apply for redress of grievances to the government of their country, confiding in the rectitude and wisdom of its councils; and though their confidence in this respect is undiminished, yet as questions of national moment are now agitated, and aggressions committed on our commerce in a manner unprecedented, they deem it their duty to approach the constituted authorities, and express their sentiments with fidelity and deliberation.

“They have witnessed with unhesitating approbation the disposition to neutrality, patronized by the general government, at times when national wrongs have been pressed with peculiar aggravations, and seemed to point to summary redress. Firmness and moderation have happily secured all the advantages of successful war, and the sober appeal of reason carried conviction to foreign nations.

“Your memorialists, however, have witnessed, with deep regret, and deep anxiety, that to some of their tribunals they can no longer appeal for safety. New interpretations of old rules, and new glosses on

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ancient doctrine, have been arrayed to controul the circuit of neutral commerce, and restrain, if not annihilate, its most beneficial operations. Their surprise has been the greater, because the nation who has adopted them, is one from whom we had a right to expect the most conciliatory conduct; since *with her ultimately centre the proceeds of our commerce, and from her we purchase the greatest portion of her staple manufactures.*

"The interests of Great Britain and the United States, seem in this respect mutual. We consume the products of her industry, and give her in return, besides large sums of money, raw materials by which she may levy new contributions. Similarity of manners and habits, of language and education, have added artificial inducements for intercourse, and gained for her among us a respect not slightly to be viewed, or inconsiderately forfeited. *On all occasions the United States have exhibited towards her an amicable interest, and a just, it may be added, a generous policy.* If, therefore, we had favours to ask or receive, our claims have been peculiarly strong upon her; because we have been emphatically the sinews of her opulence. But it is believed that the United States never asked of any nation more than justice, and are willing to be bound by the established rules of commerce. Your memorialists therefore express deep regret, because a confidence has been shaken which may not easily be restored; and deep anxiety, because the principles alluded to, if conceded, **MUST EVENTUALLY PROSTRATE OUR TRADE, OR LEAVE IT AT THE ARBITRARY DISCRETION OF BELLIGERENTS.** Whether peace or war prevail, the baneful influence will every where be felt: and in the latter predicament we shall, as neutrals, share the mischiefs of it without the chances of benefit.

"The principle, recently established by Great Britain, is, as your memorialists understand it, that *it is not competent for a neutral to carry on in war, any trade, which he is not accustomed to do in peace; and that he shall not be permitted to effect that in a circuitous, which is inhibited in a direct trade:* as corollaries from this principle, she insists that the colonial trade exercised by neutrals, shall not extend beyond the accustomed peace establishment; and that whenever the neutral imports into his own country colonial produce with the intention to tranship it to the mother country, if a direct intercourse be interdicted in peace, the circuitry of the route shall not protect the property from confiscation. It seems admitted that such circuitous route with such intention is not considered as evidence of enemy's property, confiscable within ordinary rules; but as a distinct, substantial, condemnatory principle, independent both in efficacy and application. *For it yields not to the most clear proof of neutral property, or innocent though misdirected conduct.* The unaccustomed trade, or the importation with specific intentions, are the tests by which every voyage is to be tried.

"In another view, the rule appears to your memorialists not less untenable and unjust. It is stated as a part of it, that if colonial produce be imported by any person with an *intention to tranship* it on his own account to the mother country, it is subject to confiscation; but if imported for the purpose of general commerce, and thrown

into the market for general transshipment, it is within the exception. To distinguish between *general* and *particular intentions*, and to separate things so subtle in their own natures, and almost incapable of proof, for the purposes of national decisions, seems a *refinement reserved for the present age*. The foundation of this modern doctrine is laid in this principle, that the neutral has no right by an extension of his trade to afford supplies to the belligerent to ward off the blows of his enemy, and oppose for a longer period the dominion of his force. But to this your memorialists deem it a conclusive answer, that the proposition proves too much; that, if true, it is a foundation for a far more broad and sweeping principle; that every commerce with the belligerent is inhibited to neutrals; for *every commerce assists him in resistance, and diminishes his necessities*. A doctrine thus comprehensive, has never yet been avowed, and it is presumed never will be. Yet such must be the logical conclusion; and it shews irresistably the absurdity of the assumed premises.

"The accustomed, as well as the unaccustomed trade, is within the terms, and must stand or fall together. Either the doctrine is unsound, AND ASSUMED AS A MERE PRETEXT FOR PREDATORY SEIZURES, or neutrals have no rights as such, and must endure the calamities inflicted by belligerents in a contest in which they have no voice, and in which they can reap only injury.

"Other considerations add force to the preceding remarks. It is well known that in time of war, neutrals cannot carry on even their accustomed trade in its full extent. They are prohibited from trading in contraband goods, and to blockaded ports. Variations necessarily arise in the relations of the hostile powers, which the neutral ought to possess a right to turn to his profit, as an indemnity for the obstructions of his old trade. These obstructions are of a very serious nature. When exercised in the mildest form, they produce OPPRESSIVE SEARCHES AND DELAYS, EXPENSIVE LITIGATION, AND OFTEN A TOTAL FAILURE OF AN OTHERWISE LUCRATIVE VOYAGE. Reason would therefore seem to declare, that for hazards of this nature, the benefits arising to neutrals from war, are not more than a just equivalent.

"It is somewhat singular, that a belligerent should invite a trade with itself, which it declares fraudulent with its enemy; and should lift the arm of power to crush the neutral, whose conduct is criminal only when it ceases to be partial.

"Such are the remarks your memorialists respectfully submit upon the rule considered in itself. On this examination they confess it appears to them, fundamentally incorrect. It subjects commerce to fluctuating decisions; overthrows the ordinary rules of evidence; and places an immense power to be wielded at the uncontrollable discretion of magistrates appointed by a single party.

"It therefore wants all the discriminative features of a fundamental proposition of the law of nations—uniformity, precision, and general applicability. It would in their opinion, if established, create greater evils than it professes to redress, by perpetuating strife, destroying the emoluments of trade, embarrassing commercial intercourse, and LETTING LOOSE THE PASSIONS TO PREY ON

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THE MISERIES, AND PLUNDER THE PROPERTY OF THE INNOCENT. It would subject neutrals to hazards nearly as perilous as those of actual hostilities; and independent of its influence in stimulating to revenge and retaliation, IT WOULD TRANSFER THE BENEFITS OF PEACE TO ANY VICTORIOUS USURPER OF THE OCEAN.

"But your memorialists are unwilling to rest the question on the preceding grounds, however supported by reason. They appeal to higher considerations; and deny that the rule is, or ever has made, a part of public law, or acquired by usage or prescription, any authority among nations.

"Every page appears to give a direct contradiction. They adhere to the ancient interpretation of the law of nations, which pronounces that the goods of an enemy are lawful prize, and those of a friend free; that the neutral, except in case of blockade and contraband, has a right to the uninterrupted pursuit of his commerce, when carried on with his own property, at all events in a direct trade from his own country.

"They conceive that it is not within the authority of any nation to legislate for the rest; and that the law of nations being founded on the tacit convention of the nations that observe it, can be binding only on those nations who have adopted it.

"It is conceded by the British Civilians that during the American revolution the doctrine was intirely intermitted, and the commerce of neutrals was pursued according to the ancient code. Many cases of this period might be cited from the admiralty records, which overthrow the rule, and expressly vindicate the opposite. If precedents are to decide, the judgments of a tribunal established in Great Britain under her sole appointment, and acting with open powers, must surely, when acquiescence creates the law, complete the renunciation of the contested rule.

"It is not the least singularity attending the conduct of the present war, that Great Britain has licensed her subjects in a trade which she declares fraudulent in others; that she admits them unmolested to supply her enemy with means of resistance, when she declares confiscation is the penalty of neutral succour. Were the rule ever so just in itself, it certainly demands relaxation, when the belligerent partakes the profit, and connives at the breach. If its foundation be the unlawfulness of affording assistance to a distressed enemy, surely it ought not to be enforced when that assistance is an authorized object of speculation with the distressing belligerent.

"It is our pride to believe that the American merchants, with very few exceptions, are as distinguished for good faith as any on earth. The imputation thrown on them is a masked pretence to repel the odium of vexatious injuries and to excuse violations of law, which cannot be justified.

"Your memorialists wish to take no part in the contests which now convulse the world, but acting with impartiality towards all nations, to reap the fruits of a just neutrality. If, however, conciliation cannot effect the purpose of justice, and AN APPEAL TO ARMS be the last and necessary protection of honour, they feel no dis-

position to decline the common danger, or shrink from the common contribution.

"Relying on the wisdom and firmness of the general government in this behalf, they feel no hesitation to **PLEDGE THEIR LIVES** and **PROPERTIES** in support of the measures which may be adopted to vindicate the public rights, and redress the public wrongs."

Salem, Jan. 29, 1806."

CHAP. XI.

Reflections on the Memorials. Uniform call for redress. Uniform pledge of support.

I beg the reader will devote a few minutes to a perusal of these important, these invaluable documents. No man without bearing in mind their contents, can form a correct estimate of the policy of this country, or of the merits and demerits of the two parties, whose envenomed, and infuriated hostility is rapidly sending to perdition the noblest country, the happiest people, and the best form of government in the world.

And we must not forget for a moment, the cause of all these impassioned complaints, these invocations of redress, these pledges of support. This is the most important item in the affair. It was simply the right to re-export the productions of the colonies of the enemies of Great Britain—a right, however clear and indefeasible, which was wholly unessential to the prosperity of our country. We might have abandoned it without the sacrifice of an iota of the happiness of our citizens, or the real honour of the nation.

No man of decency can deny, after the perusal of these documents, that the mercantile interest of the United States urged—it would not be extravagant to say, goaded—the government into a resistance of the highlanded and oppressive pretensions and outrages of Great Britain. Every paragraph establishes this important fact. The expression of the public sentiment on this subject, was nearly simultaneous from Newburyport to Baltimore.

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That they calculated upon war, as the dernier resort, is obvious from the phraseology, which cannot be misunderstood. When the Boston merchants express their reliance that "*such measures will be promptly adopted, as will tend to disembarrafs commerce, ASSERT OUR RIGHTS, and support the dignity of the United States,*" it would be absurd to suppose these measures were to be limited to mere negotiation, the utter inefficacy of which had been so often experienced. A child would spurn at the idea of "*supporting the dignity of the United States*" by negotiation alone. That had been already found to be a very feeble resource, and might have gone on for an age, without "*asserting any of our rights.*" Their views were not so limited. No. War, war, must indubitably have been in their contemplation, should negotiation have an unfavourable issue.

Can any man of common sense doubt, can any man of character deny, that the merchants of Philadelphia calculated on WAR, when, after having suggested "that every measure not inconsistent with the honour and interest of the nation, by which the great objects of redress and security may be attained should be first tried," they add "*if such measures should prove ineffectual, whatever may be the sacrifice on their part, it will be met with submission.*"

When the merchants of Newburyport "*rely with confidence*" on "the FIRMNESS and JUSTICE of the government," to obtain for them "*compensation and protection,*" they must have been insane, if they did not calculate upon WAR as the dernier resort. These are the worthy citizens who have since patriotically pledged themselves to resist their own government, "EVEN UNTO BLOOD."

And who can pretend, that the merchants of New-Haven, when they called upon the government "*firmly to resist every encroachment upon the rights of neutral nations,*" did not calculate upon war? And did they not most solemnly pledge themselves, when they tendered the "*assurances of their disposition to give aid and sup-*

port to EVERY MEASURE calculated to accomplish this important object."

And when the New-York merchants declared their "reliance upon the government of their country, that their rights *would not be abandoned*"—and that the crisis required "ALL THE ENERGY," as well as "the prudence and wisdom" of the government, can there be found a man who will pretend that war was not calculated on, unless other means might be found to accomplish the end in view? It cannot be.

And can there be a more explicit pledge given than is to be found at the close of their memorial—"We pledge our united support in favour of all measures adopted to vindicate and secure the just rights of our country."

I am very credibly informed that there are subscribed to this memorial, names of persons who have openly and explicitly prayed recently for the destruction of the armies of the United States invading Canada. This is most wonderfully consistent and patriotic.

But the merchants of Salem are more explicit than any of their mercantile brethren elsewhere. They leave no room for inference or supposition. They most unambiguously declare their views.

"If, however, conciliation cannot effect the purpose, and AN APPEAL TO ARMS be the last and necessary protection of honour, they feel no disposition to decline the common danger, or shrink from the common contribution."

And was there ever, since the world was formed, a more solemn pledge given, than the one with which they close their memorial, and which I here repeat—

"Relying on the wisdom and firmness of the general government, in this behalf, they feel no hesitation to pledge their lives and properties in support of the measures which may be adopted to VINDICATE THE PUBLIC RIGHT, AND REDRESS THE PUBLIC WRONGS."

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CHAP. XII.

British Depredations brought on the tapis in the Senate of the United States. Condemnatory Resolutions passed. Messrs. Pickering, Hillhouse, Bayard and Tracy in the affirmative. Ambassador extraordinary to England.—British goods prohibited.

In consequence of the presentation of the memorials above referred to, the senate of the United States took the subject into their most serious consideration, and passed the following resolution, on the 10th February, 1806.

"Resolved that the capture and condemnation, under orders of the British government, and adjudications of their courts of admiralty, of American vessels and their cargoes, on the pretext of their being employed in a trade with the enemies of Great Britain prohibited in time of peace is an unprovoked aggression upon the property of the citizens of the United States—a violation of their neutral rights—and an encroachment upon their national independence."*

I hope the reader will attentively peruse this resolution. It is clear and explicit. It solemnly protests against the revival of the exploded rule of the war of 1756, as "*an encroachment upon the national independence*, and a violation of our neutral rights." Stronger language could not well be used. What makes it peculiarly remarkable, is, that it was carried by an unanimous vote of the senate, 28 members present—but secondly and chiefly, I beg it may be borne in eternal remembrance, that among the names of the senators who thus voted, are to be found those of Messrs. PICKERING, Hillhouse, Bayard, and Tracy.

Another resolution, passed February 14, stands in these words:—

"Resolved, that the president of the United States be requested to DEMAND the restoration of the property of their citizens captured and condemned on the pretext of its being employed in a trade with

* Journal of the Senate for 1806—page 126.

*the enemies of Great Britain, prohibited in time of peace ; and the indemnification of such American citizens for their losses and damages sustained by these captures and condemnations ; and to enter into such arrangements with the British government, on these and all other differences between the two nations, (and particularly respecting the IMPRESSMENT OF AMERICAN SEAMEN) as may be consistent with the honor and interests of the United States, and manifest their earnest desire for themselves and their citizens of that justice to which they are entitled."**

There was a division upon this resolution. It was carried by twenty affirmative votes to six negative. Messrs. PICKERING, Hillhouse, Bayard, and Tracy were in the affirmative, as on the former resolution.

To obtain redress from Great Britain, four modes presented themselves—negociation—non-intercourse—embargo—and war.

The first in order required to be first essayed. Accordingly the administration entered upon negociation : and, to attach more solemnity to it, Mr. William Pinckney was appointed minister extraordinary, and united to Mr. Monroe, then resident at the court of St. James's.

To give the negociation a greater likelihood of success, an act was passed,* making a strong appeal to the interest of Great Britain. By this act, the importation into the United States was prohibited, of a variety of her most important manufactures, viz.

" All articles, of which leather is the material of chief value.

" All articles of which silk is the material of chief value.

" All articles of which hemp or flax is the material of chief value.

* *Idem*, page 131.

* *Laws of the United States*, Vol. 6, page 80.

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"All articles of which tin or brass is the material of chief value, tin in sheets excepted.

"Woollen cloths whose invoice prices shall exceed five shillings sterling per square yard.

"Woollen hosiery of all kinds.

"Window glass and all the manufactures of glass.

"Silver and plated wares.

"Paper of every description.

"Nails and spikes.

"Mats, and clothing ready made.

"Millinery of all kinds.

"Playing cards.

"Beer, ale, and porter; and pictures and prints."

This act was passed on the 18th day of April, 1806, in compliance with the remonstrances of the merchants, as a means of inducing England to abandon her unjust pretensions. And with a laudable wish to afford her time to weigh its consequences, and to prevent a rupture, its operation was not to commence till the 15th of the following November, a period of seven months. Thus reluctant was the government to come to extremities, notwithstanding the grievous provocations that had been offered. It is impossible to conceive a more lenient mode of proceeding, or one reflecting more credit on the forbearance of an injured and insulted nation.

Still further to evince the wish of our rulers to preserve peace, the operation of this act was suspended in December 1806, till the first of July 1807*—and moreover, the president was authorized, "if in his judgment the public good should require it, to suspend it still farther till the second Monday of December in the same year."

Here let us pause a moment. The United States had suffered depredations on their commerce to an enormous amount by the revival of a pretended rule of the law of nations, which had been formally abandoned, and of which revival no previous notice had been given. And

* *Idem*, page 220.

instead of having recourse to reprisals or to a declaration of war, either of which would have been perfectly just, they adopted the mild measure of restraining the commerce of the aggressor, in order to make it his interest to do them justice. Never was greater forbearance shewn—never was forbearance so ill requited.

CHAP. XIII.

Blockade of the Coast from the Elbe to Brest. Berlin Decree.

Instead of redressing the grievances of which our merchants so loudly, and so eloquently, and so justly complained, the British government, on the 16th of May, 1806, under the administration of the celebrated Charles James Fox, issued a proclamation, blockading the coast of Germany, Holland, and France, from the Elbe to Brest, extending to about 700 miles. There never was an adequate force stationed to effect a legal blockade of a third part of the coast included within the proclamation.

The French government, exasperated at this offensive and unjustifiable measure, retaliated on Great Britain by the notorious Berlin decree, whereby the whole of the British dominions were declared to be in a state of blockade, without a single French vessel of war daring to shew itself on the seas.

Imperial decree, declaring the British Isles in a state of Blockade.

Imperial Camp, Berlin, Nov. 21, 1806.

Napoleon, Emperor of the French, and king of Italy, considering :

1. That England does not admit the right of nations as universally acknowledged by all civilized people ;

2. That she declares as an enemy every individual belonging to an enemy's state ; and in consequence makes prisoners of war, not only of the crews of armed vessels, but those also of merchant vessels, and even the supercargoes of the same ;

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3. That she extends or applies to merchant vessels, to articles of commerce, and to the property of individuals, the right of conquest, which can only be applied or extended to what belongs to an enemy state;

4. That she extends to ports not fortified, to harbours and mouths of rivers, the *right of blockade*, which, according to reason and the usage of civilized nations, is applicable only to strong or fortified ports;

5. That she declares places blockaded before which she has not a single vessel of war, although a place ought not to be considered blockaded but when it is so invested as that no approach to it can be made without imminent hazard; that she declares even places blockaded which her united forces would be incapable of doing, such as entire coasts, and a whole empire;

6. That this unequall'd abuse of the right of blockade has no other object than to interrupt the communications of different nations, and to extend the commerce and industry of England upon the ruin of those of the continent;

7. That this being the evident design of England, whoever deals on the continent in English merchandize favours that design, and becomes an accomplice;

8. That this conduct in England (worthy only of the first ages of barbarism) has benefitted her to the detriment of other nations;

9. That it being right to oppose to an enemy the same arms she makes use of; to combat as she does; when all ideas of justice, and every liberal sentiment (the result of civilization among men) are disregarded:

We have resolved to enforce against England the usages which she has consecrated in her maritime code.

The present decree shall be considered as the fundamental law of the empire, until England has acknowledged that the *rights of war* are the same on land as at sea; that it cannot be extended to any private property whatever nor to persons who are not military, and until the right of blockading be restrained to fortified places actually invested by competent forces.

Article 1. The British islands are in a state of blockade

2. All commerce and correspondence with them is prohibited. Consequently, all letters or packets written in England, or to an Englishman, *written in the English language*, shall not be dispatched from the post-offices, and shall be seized.

3. Every individual, a subject of Great Britain, of whatever rank or condition, who is found in countries occupied by our troops or those of our allies, shall be made prisoner of war.

4. Every ware-house, all merchandize or property whatever belonging to an Englishman, are declared good prize

5. One half of the proceeds of merchandize declared to be good prize, and forfeited as in the preceding articles, shall go to indemnify merchants who have suffered losses by the English cruisers.

6. No vessel coming directly from England or her colonies, or having been there since the publication of this decree, shall be admitted into any port.

7. Every vessel that, by a false declaration, contravenes the foregoing disposition, shall be seized, and the ship and cargo confiscated as English property.

8. [This article states, that the councils of prizes at Paris and at Milan shall have recognizance of what may arise in the empire and in Italy under the present article.]

9 Communications of this decree shall be made to the kings of Spain, Naples, Holland, Etruria, and to our other allies, whose subjects as well as ours, are victims of the injuries and barbarity of the English maritime code.

10. Our ministers of foreign relations, &c. are charged with the execution of the present decree.

NAPOLEON.

By the emperor,

H. D. MARET,

Secretary of State.

Extravagant as this decree appears, it is capable of some defence ; and that not void of plausibility. It was promulgated to retaliate a blockade of a great extent of coast, of which, as I have stated, two thirds were not invested by any force whatever. And it cannot be denied that if the blockade of a single port three miles in extent, much more a long line of coast, be legal, without a force to support it, the blockade of the British dominions, or even of a whole continent without a force, is likewise legal. And I am persuaded that Capt. Boyle's recent blockade of the British dominions, is quite as legal and defensible, as the existing blockade of such ports of the United States as have no naval force stationed before them.

So far as respected American vessels, the Berlin decree was not enforced for twelve months. This important fact is not asserted lightly. It stands on respectable authority, to which no objection will lie. This authority is Alexander Baring, Esqr. member of the British house of commons.

"No condemnation of an American vessel had ever taken place under it; and so little did the French privateers interfere with the trade of America with this country, that the insurance on it has been very little higher than in time of profound peace, while that on the American

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*trade with the continent of Europe has at the same time been doubled and even trebled by the conduct of our cruisers.**

Besides the above authority I annex a still stronger proof of my position :—

Paris Nov. 12, 1807.

Sir,

It was not till yesterday that I received from Mr. Skipwith a copy of the decree of the council of prizes, in the case of the *Horizon*. This is the first unfriendly decision of that body under the decree of the 21st of Nov. 1806. In this case and on the petition of the defendant, the court has recommended the restoration of the whole cargo. I did not however think proper to join in asking as a favour, what I believed myself entitled to as a right. I subjoin a copy of my note to the minister of foreign affairs.

And am sir,

Your most obedient
Humble servant,

(Signed)

JOHN ARMSTRONG.

MR. MADISON, &c.

CHAP. XIV.

Orders in Council of November 11, 1807. Milan Decree.

By the orders of Nov. 11, 1807, all neutral vessels, bound to France, or her dependencies, or to any port from which British vessels were debarred—and further, all vessels furnished with French consular certificates of the origin of the cargoes, were declared liable to seizure and condemnation. This measure, so destructive to the rights and interests of America, was predicated upon the acquiescence in the Berlin decree of November, 1806. twelve months anterior, although that decree,

* "Enquiry into the causes and consequences of the orders in council; and an examination of the conduct of Great Britain towards the neutral commerce of America. By Alexander Baring, Esq. M. P." London. Published, February, 1808. Republished in Philadelphia, by Bradford and Inskeep.

as I have stated, had not been put into operation against our commerce, and of course we had no right to remonstrate against it. There did not, therefore, exist that acquiescence which could have warranted this high-handed outrage.

To enable the reader to judge completely on the subject of these celebrated orders, I annex a copy of them at full length.

At the Court of the Queen's Palace, the 11th of November, 1807, present, the King's most excellent Majesty in Council.

Whereas certain orders, establishing an unprecedented system of warfare against this kingdom, and aimed especially at the destruction of its commerce and resources, were some time since issued by the government of France, by which "the British islands were declared to be in a state of blockade," thereby subjecting to capture and condemnation all vessels with their cargoes, which should continue to trade with his majesty's dominions:

And whereas by the same orders, "all trading in English merchandise is prohibited, and every article of merchandise belonging to England, or coming from her colonies, or of her manufacture, is declared lawful prize."

And whereas the nations in alliance with France, and under her controul, were required to give, and have given, and do give, effect to such orders:

And whereas his majesty's order of the 7th of January last, has not answered the desired purpose, either of compelling the enemy to recall those orders, or of inducing neutral nations to interpose, with effect to obtain their revocation; but, on the contrary, the same have been recently enforced with increased rigour:

And whereas his majesty, under these circumstances, finds himself compelled to take further measures for asserting and vindicating his just rights, and for supporting that maritime power which the exertions and valour of his people have, under the blessing of providence, enabled him to establish and maintain; and the maintenance of which is not more essential to the safety and prosperity of his majesty's dominions, than it is to the protection of such states as still retain their independence, and to the general intercourse and happiness of mankind.

His majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that *all the ports and places of France and her allies, or of any other country at war with his majesty, and all other ports or places in Europe from which, although not at war with his majesty, the British flag is excluded, and all ports or places in the colonies belonging to his majesty's enemies shall from henceforth, be subject to the same restrictions in point of trade and navigation, with the exceptions herein after mentioned, as if the same were actually blockaded by his majesty's naval forces, in the most strict and rigorous manner.* And it is hereby farther ordered and declared,

that all trade in articles which are of the produce or manufacture of the said countries or colonies, shall be deemed and considered to be unlawful; and that every vessel trading from or to the said countries or colonies, together with all goods and merchandize on board, and all articles of the produce or manufacture of the said countries or colonies, shall be captured and condemned as prize to the captors.

But although his majesty would be fully justified, by the circumstances and considerations above recited, in establishing such system of restrictions with respect to all the countries and colonies of his enemies, without exception or qualification; yet his majesty, being nevertheless desirous not to subject neutrals to any greater inconvenience than is absolutely inseparable from the carrying into effect his majesty's just determination to counteract the designs of his enemies, and to retort upon his enemies themselves, the consequences of their own violence and injustice; and being yet willing to hope that it may be possible (consistently with that object) still to allow to neutrals the opportunity of furnishing themselves with colonial produce for their own consumption and supply: *and even to leave open, for the present, such trade with his majesty's enemies as shall be carried on directly with the ports of his majesty's dominions, or of his allies, in the manner hereinafter mentioned.*

His majesty is therefore pleased farther to order, and it is hereby ordered, that nothing herein contained shall extend to subject to capture or condemnation any vessel, or the cargo of any vessel, belonging to any country not declared by this order to be subjected to the restrictions incident to a state of blockade, which shall have cleared out with such cargo from some port or place of the country to which she belongs, either in Europe or America, or from some free port in his majesty's colonies, under circumstances in which such trade from such free port is permitted, *direct to some port or place in the colonies of his majesty's enemies, or from those colonies direct to the country to which such vessel belongs, or to some free port in his majesty's colonies, in such cases, and with such articles, as it may be lawful to import into such free port; nor to any vessel or cargo of any vessel, belonging to any country not at war with his majesty which shall have cleared out from some port or place in this kingdom, or from Gibraltar or Malta, under such regulations as his majesty may think fit to prescribe, or from any port belonging to his majesty's allies, and shall be proceeding direct to the port specified in her clearance; nor to any vessel, or the cargo of any vessel, belonging to any country not at war with his majesty, which shall be coming from any port or place in Europe, which is declared by this order to be subject to the restrictions incident to a state of blockade, destined to some port or place in Europe belonging to his majesty, and which shall be on her voyage direct thereto; but these exceptions are not to be understood as excepting from capture or confiscation any vessel or goods which shall be liable thereto in respect of having entered or departed from any port or place actually blockaded by his majesty's squadrons or ships of war, or for being enemies' property, or for any other cause than the contravention of this present order.*

And the commanders of his majesty's ships of war and privateers, and other vessels acting under his majesty's commission, shall be, and are hereby instructed, to warn every vessel which shall have commenced her voyage prior to any notice of this order, and shall be destined to any port of France, or of her allies, or of any other country at war with his majesty, or to any port or place from which the British flag, as

aforesaid, is excluded, or to any colony belonging to his majesty's enemies, and which shall not have cleared out as is herein before allowed, to discontinue her voyage, and to proceed to some port or place in this kingdom, or to Gibraltar or Malta. And any vessel which, after having been so warned, or after a reasonable time shall have been offered for the arrival of information of this his majesty's order to any port or place from which she sails, or which, after having notice of this order, shall be found in the prosecution of any voyage contrary to the restrictions contained in this order shall be captured, and, together with her cargo, condemned as lawful prize to the captors.

And whereas countries not engaged in the war have acquiesced in the orders of France, prohibiting all trade in any articles the produce or manufacture of his majesty's dominions: and the merchants of those countries have given countenance and effect to those prohibitions, by accepting from persons styling themselves commercial agents of the enemy, resident at neutral ports, certain documents termed "*certificates of origin*," being certificates obtained at the ports of shipment, declaring that the articles of the cargo are not of the produce or manufacture of his majesty's dominions, or to that effect.

And whereas this expedient has been directed by France, and submitted to by such merchants, as part of the new system of warfare directed against the trade of this kingdom, and as the most effectual instrument of accomplishing the same; and it is therefore essentially necessary to resist it.

His majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that if any vessel, after reasonable time shall have been afforded for receiving notice of this his majesty's order, at the port or place from which such vessel shall have cleared out, *shall be found carrying any such certificate or document as aforesaid, or any document referring to or authenticating the same,* such vessel shall be adjudged lawful prize to the captors, together with the goods laden therein, belonging to the person or persons by whom, or on whose behalf, any such document was put on board.

And the right honourable the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty, and courts of vice admiralty, are to take the necessary measures here-in, as to them shall respectively appertain.

W. FAWKENER.

The preceding orders were assigned by Napoleon as the reason for, and justification of, the Milan decree, of which I submit a copy; although it breaks in somewhat on the plan of this part of my work. But I prefer grouping these three documents together, for the ease and convenience of the reader.

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Paris, December 20.

IMPERIAL DECREE.

Rejoinder to his Britannic majesty's Order in Council, of the 11th November, 1807. At our Royal Palace at Milan, December 17, 1807.

Napoleon, emperor of the French, king of Italy, and protector of the Rhœnish confederation.

Observing the measures adopted by the British government, on the 11th November last, by which vessels belonging to neutral, friendly, or even powers the allies of England, are made liable, not only to be searched by English cruizers, but to be compulsorily detained in England, and to have a tax laid on them of so much per cent. on the cargo, to be regulated by the British legislature.

Observing that by these acts, the British government *denationalizes* ships of every nation in Europe; that it is not competent for any government to detract from its own independence and rights; all the sovereigns of Europe having in trust the sovereignties and independence of the flag; that if by an unpardonable weakness and which in the eyes of posterity would be an indelible stain, if such a tyranny was allowed to be established into principles, and consecrated by usage, the English would avail themselves of it to assert it as a right, as they have availed themselves of the tolerance of governments to establish the infamous principle, that the flag of a nation does not cover goods, and to give to their right of blockade an arbitrary extension, and which infringes on the sovereignty of every state; we have decreed and do decree as follows.

Art. I. Every ship, to whatever nation it may belong, that shall have submitted to be searched by an English ship, or to a voyage to England, or shall have paid any tax whatsoever to the English government, is thereby, and for that alone, declared to be *denationalized*, to have forfeited the protection of its king, and to have become English property.

"Art. II. Whether the ships thus *denationalized* by the arbitrary measures of the English government, enter into our ports, or those of our allies, or whether they fall into the hands of our ships of war, or of our privateers, they are declared to be good and lawful prize.

Art. III. The British islands are declared to be in a state of blockade, both by land and sea. Every ship of whatever nation, or whatever the nature of its cargo may be that sails from the ports of England, or those of the English colonies, and of the countries occupied by English troops, and proceeding to England, or to the English colonies, or to countries occupied by English troops, is good and lawful prize, as contrary to the present decree, and may be captured by our ships of war, or our privateers, and adjudged to the captor.

Art. IV. These measures, which are resorted to only in just retaliation of the barbarous system adopted by England, which assimilates its legislation to that of Algiers, shall cease to have any effect with respect to all nations who shall have the firmness to compel the English govern-

ment to respect their flag. They shall continue to be rigorously in force as long as that government does not return to the principle of the law of nations which regulates the relations of civilized states in a state of war. The provisions of the present decree shall be abrogated and null, in fact, as soon as the English abide again by the principles of the law of nations, which are also the principles of justice and honour.

All our ministers are charged with the execution of the present decree, which shall be inserted in the bulletin of the laws.

By order of the emperor,
(Signed)

NAPOLÉON,
H. B. MARET,
Secretary of State.

On the 25th of November, 1807, an additional order in council was issued, and on the 25th of March, 1808, an act of parliament passed, the object of both of which was to permit a trade between neutral nations (the only neutral nations then were the United States and Sweden) and France and her dependencies, *on the condition that the vessels engaged in it should enter some British port, PAY A TRANSIT DUTY, and take out a licence! And the British government affected to regard this arrangement as a favour conferred on neutrals!* This was fairly capping the climax.

It may not be unsatisfactory to the reader, to state the duties thus laid on the exports of the United States by a foreign nation. Well might Mr. Baring declare---“It is immaterial, whether it be a tax on stamps, or on cotton. This question has been the subject of a long and bloody war.”

Goods allowed to be bonded.

Barilla	- - -	10s	per cwt. or	-	Dollars	2 22
Bark (Peruvian)	- - -	6s	-	-	-	1 35
Cochineal	- - -	7s	-	-	-	1 57
Coena nuts	- - -	1 1	-	-	-	4 44
Coffee	- - -	1 8s	-	-	-	6 20
Ginger	- - -	7s	-	-	-	1 57
Gum Arab. and Senegal	- - -	10s	-	-	-	2 22
Hemp	- - -	15s	-	-	-	3 33
Hides (raw)	- - -	3s	per hide	-	-	67
Jalap	- - -	-	6d per lb.	-	-	11
Indigo	- - -	2s	-	-	-	45
Iron (in bars)	- - -	1 3	-	per cwt.	-	13 32
Pimento	- - -	-	2d per lb.	-	-	4
Pitch	- - -	4s 4d	per 31 1-2 gal.	-	-	96

Quick
Rhubarb
Rice
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Sugar
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Tallow
Tar
Tobacco
Turpentine
Wine
Wood
Cotton
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Quicksilver	1s	per lb.	Dollars	22
Rhubarb	2s	—		45
Rice	2s	per cwt.		45
Rum and Spirits single	5d	per gal.		15
Do over-proof	1s 4d	—		30
Sugar (brown or Muscovado)	10s	per cwt.		2 22
Do (white or clayed)	14s	per cwt.		3 11
Tallow	7s	—		1 57
Tar	4s 4d	per 51 1-2 gal.		96
Tobacco	1d	1-2 per lb.		9
Turpentine (common)	3s 6d	per cwt.		78
Wine	1 6	per 252 gals.		26 64
Wood (mahogany)	1	per ton		4 44
Cotton	9d	per lb.		17
Timber	1 1 7s	per 50 c. feet		5 98
Masts, &c. 6 in under 8	5s	per piece		1 11
— 8 — 12	10s	—		2 22
— 12 and upwards	1 1 7s	—		5 98

Goods not allowed to be bonded, and upon which the home-consumption duties must be paid on importation :

Anchors	40 per cent. on the value,			
Annatto	1 2 8s 4d	per cwt.	Dollars	10 65
Argol	5s	—		1 11
Ashes	10s	—		2 22
Oak bark	2s 6d	—		55
Bread	4s	—		30
Butter	1 1	—		4 44
Cable and Cordage	18s	—		4 00
Wheat	10s	per qr		2 22
Wheat meal and Flour	5s	per cwt.		1 11
Stock-fish	2s 6d	per 120		56
Other Fish	4s	per cwt		90
Seed Oil	10 10s	per 252 gals.		46 62
Pork	17s 6d	per cwt.		92
Flax-seed	1s 6d	per 56 lb.		33

"Prize goods prohibited—goods not enumerated, but which may be used in this country—on the *prize duties* 40 per cent.

"A letter from *Rathbone, Hughes and Duncan*, of Liverpool, dated in the beginning of April, 1808, has this paragraph :

"These duties to attach to the cargoes of all vessels bound from the United States to those ports on the continent, which are under the influence of France, and arrive in this country, in compliance with the orders in council of the 11th November"

A Synopsis of a part of the Effects of these Duties.

"A cargo of cotton of 1000 bales, of 300 lbs. each, which is about the common weight, paying 9d sterling, p r lb. in England, would amount to the precise sum of 50,000 dollars. The same cargo of cot.

Dollars 2 22
 - 1 35
 - 1 57
 - 4 44
 - 6 20
 - 1 57
 - 2 22
 - 3 33
 - 67
 - 11
 - 45
 - 13 32
 - 4
 - 96

ton at 14 1-2 cents, the average price for fine Louisiana cotton, would not cost at New Orleans \$3,500 dollars. Thus the exporter would have to pay 6,500 dollars in London, as a duty for liberty to proceed to the continent more than the original cost—to this might be added the various other charges of tonnage, &c. amounting to about 2000 dollars more.

"A cargo of tobacco may be said to consist of 400 hogsh-heads—for the sake of round numbers, we will suppose each hogsh-head only to weigh 1000 lbs. and the account stands thus—

400,000 lbs. Tobacco, at 1 1-2d sterling per pound, is	
£2,500 sterling, or	Dollars 11,100 00
Tonnage at 12s. per ton on 400 tons, is £240 sterling,	
or	1,065 00
Light money and various other charges and attendant expenses, would amount to	800 00

Amount of tribute on a cargo	12,965 60
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"Of the 80,000 hogsh-heads we generally exported, about 12,000 were consumed in the British islands—the rest went to the continent—put them, as before at 1000 lb. each, and what is the amount of tribute on this single article?

68,000 hogsh-heads tobacco, weighing each 1000 lbs. is	
68,000,000 lbs. at 1 1-2d sterling per pound is £425,000	
or	dollars 1,998,000 00
170 ships' tonnage, &c. at 2000 dollars each	340,000 00

Amount of annual tribute on tobacco	2,338,000 00
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"A ship would carry about from 3000 to 3500 barrels of flour; say for the sake of calculation, 6000 cwt.

6,000 cwt. at 5s. sterling per cwt. amounts to £1500 or dollars 6,660 00	
Tonnage and charges, as above	1,865 60

Amount of tribute	8,525 60
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"A ship load of fish would cost about 3500 or 4000 dollars including the duties and charges.*

* For these calculations I am indebted to Niles's Weekly Register, Vol 3, page 79.

CHAP. XV.

The orders in council of November 11, 1807, defended by Americans. Founded on the untenable plea of American acquiescence in the Berlin decree. Enquiry into their causes and consequences by A. Baring, Esq. M. P.

Pernicious as were the orders in council to the most vital interests of the United States—degrading as was the condition of paying a transit duty in English ports—and unjust and unfounded as was the allegation on which these orders were predicated, there were defenders of them in this country—American born—and among the number, men in high and elevated stations, possessing a great degree of public confidence and political influence. It is a most singular fact, that the cause of England has been more ably supported in our papers, and in our debates, and in our political resolutions, than in London itself. There is no man of character or standing in society in that city, or in the British parliament, that has attempted to deny the magnitude of our wrongs. The ministry and their friends have palliated their proceedings by the miserable plea of necessity—and of retaliation—a plea that Barbarossa, or Koulikan, or Bonaparte could with equal justice advance. But such respectable men as the Roscoes, the Whitbreads, the Barings, have bestowed on the outrageous measures of their government, the most unqualified reprobation. I have it not in my power at present to refer to the debates in parliament. But I perfectly well recollect, and such of my readers as have access to them will see at once, that the rectitude of the conduct of our government, and its mild endeavours to procure redress, have received the most unequivocal eulogiums from some of the most illustrious characters in Great Britain.

The respectability of Mr. Baring is a matter of public notoriety throughout the commercial world. There is no man in England more attached to the honor and the

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Weekly Register,

interests of his country. His testimony has been, as I have said, uniformly borne in our favour, and against the enormous injustice of the orders in council—and as it cannot fail to have a weight proportioned to his talents, integrity, and character, I shall very freely extract from such an unobjectionable source.

The orders in council of Nov. 11, 1807, were, as we have seen, predicated upon our acquiescence in the Berlin decree. Mr. Baring having stated the fact,* that this decree had not been put into operation against our commerce, we had had no right to remonstrate against it, proceeds,

“ Unless, therefore, his majesty’s ministers have some information of which the public is not possessed, and which contradicts the very clear evidence the public do possess, we must conclude that the assertion in the orders in council, that America had been guilty of that acquiescence in the decrees of France, which was to draw down, and has drawn down upon her; our menaced retaliation, is totally void of foundation.”†

The fallacy of the allegation of an acquiescence in the Berlin decree having been proved, Mr. Baring thus accounts for the Milan decree, which was the offspring of the orders in council of Nov. 11, 1807.

“ If what has been stated, be correct, that our orders in council are not justified, by any previous provocation, they must be evidently acts of original aggression; and France has retaliated much in the same manner and with the same right, as we ourselves should have done, had the Berlin decree been rigidly executed.”‡

The following masterly analysis of the orders in council is taken from Mr. Baring’s pamphlet.

“ *All trade directly from America to every port and country at war with Great Britain, or from which the British flag is excluded, is totally prohibited. In this general prohibition, every part of Europe, with the exception at present of Sweden, is included: and no distinction whatever is made between the domestic produce of America, and that of the colonies, re-exported from thence ! ! !*

“ *The trade from America to the colonies of all nations, remains unaltered by the present order. America may export the produce of her own country, but that of no other, to Sweden.*

* See page 98. † Enquiry, page 70. ‡ Ibid.

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"With the above exception, all articles, whether of domestic or colonial produce exported by America to Europe, *must be landed in this country [England]* from whence it is intended to permit their exportation, under such regulations as shall be hereafter determined.

"By these regulations it is understood that *duties are to be imposed on all articles so re-exported.* But it is intimated that an exception will be made in favour of such as are the produce of the United States, cotton excepted.

"Any vessel, the cargo whereof shall be accompanied with certificates of French consuls abroad, of its origin, shall, together with its cargo, be liable to seizure and condemnation."

It is here proper to make a solemn pause. The subject deserves the deepest, the most serious reflection. Let us examine this sketch, let us consider the despotic, the lawless claims it asserts—the prostrate, the base, the despicable state it places the commerce and the rights of a sovereign, an independent, and unoffending nation—a nation whose trade was of incalculable importance to the power thus lording it over us—and when this is all fairly and duly weighed, let us correctly appreciate the conduct of so many Americans, who have asserted with a zeal worthy of a good cause, that England "has done us no essential injury!" The annals of the world can produce nothing more indefensible—nothing more astonishing—

The end proposed by the British government in this stupendous project of usurpation, is thus ably sketched.

"The Americans are to bring to this country all the produce of their own, and all that of our enemies' colonies, which they export to Europe. We are here to form a grand emporium of the east y produce of Asia and America, which is to be dispensed to the different countries of Europe, under such regulations as we may think proper, and, I suppose, according to their good behaviour. *Taxes are to be raised from the consumers on the continent:* and they are to be contrived with such judicious skill as to secure our own West India planters a preference to those of Cuba and Martinique."

"The American merchant, with the best intentions of trading legally, cannot always know what this country permits; for we admit that upholding a general principle which we never enforce, we may

* Idem, page 12.

† Idem, page 16.

and do vary our permission to neutrals under it as we please. Supposing him in this respect not liable to error, he is exposed to unjust decisions in our vice admiralty courts—a danger of no common magnitude, if we are to believe the assertion of lord Hawkesbury in the house of commons, the 29th of April, 1801, that of 318 appeals from those courts, only 35 of the condemnations were confirmed.”*

What a hideous picture of the rapacity and piratical proceedings of the British privateers is here exhibited! It is not unfair to suppose that of the number of vessels captured and brought in for adjudication, one fourth were cleared in the West Indies. Admitting this calculation, the whole number of captures embraced in the statement of Lord Hawkesbury, was probably 420, of which about 100 were cleared in the West Indies—283 unjustly condemned there, and afterwards cleared in Great Britain—and only 35 really and bona fide lawful prize—so that it appears that of every twelve vessels brought in for trial, eleven were unjustly captured!

“If we had maintained and defended this doctrine boldly and fairly against all nations, good arguments in favour of it could not be wanting. But when we have uniformly yielded it, and indeed forborne to claim it, can it be consistent either with magnanimity or good policy, to bring it forward now, because the only remaining neutral has a defenceless commerce? If such cowardly injustice is to be one of our resources in these trying times, when elevation of sentiment and of national character are more than ever wanted, the means and strength of this powerful empire are indeed strangely misunderstood.”†

“This decision [in the case of the *Essex*, Orme] although the distinction was not made to catch the common eye, was well known to embrace the whole foreign trade of America, excepting that in her own produce. It circulated rapidly among our cruizers and privateers; and in the course of a fortnight the seas were cleared of every American ship they could find, which now crowded our ports for trial: and our West India merchants were gratified by neutral insurance and freights being at least doubled by this ingenious discovery”‡

“This decision laid the foundation of all the complaints of America of our vexatious measures against her trade, as it introduced a totally new line of conduct towards it: and that change produced the non-importation act at which we affect so much indignation.”§

“Nor was the injury to the Americans confined to the application

*Idem, page 43.† Idem, page 47. ‡ Idem, page 50. §Idem, page 51.

of these new and vexatious principles; for our privateers, apprehending little danger of being made answerable for their error, were not disposed to make nice distinctions; but detained and sent in every vessel they met with, under the most frivolous pretences; in which they were also encouraged by the expectation of actual war. Of the extent to which this was carried, some idea may be formed, when it is stated, that cargoes, wholly of American produce, and of the produce of neutral countries trading with America, were captured, and even brought to trial.*

"The owners of privateers are in the daily practice of bringing in valuable cargoes, and offering immediately to release them for one or two hundred guineas. They sometimes require a much larger sum. The London merchant is either obliged to acquiesce in this iniquitous robbery, or let his correspondent suffer the more expensive vexations which it is unfortunately in the power of these people to inflict."†

"The measures resorted to by America, under these circumstances of provocation, were certainly of the mildest species of hostility, and such as evidently shewed a desire of peace. A law was passed prohibiting the importation of certain articles of British manufacture; by which a demonstration of commercial warfare was certainly intended. But it is such as every independent nation, even in time of peace, has a right to resort to without giving offence: and if the commerce of America were to be materially interrupted, a reduction of her importation of European articles became indispensable. This law, after different suspensions, is not yet repealed. Of its wisdom, as a commercial measure, there may be doubts; but as an annoyance of our trade, for the purpose of enforcing respect for theirs, we have no right to complain of it."‡

"If we had treated the commerce of America with sincerity, instead of molesting it, as we have seen, BY A REPETITION OF THE MOST DISGRACEFUL CHICANE, that commerce would have suffered less, and our own ends would have been answered. Such an appeal to the good sense of that country, would certainly have been less likely to produce war than the sophistry with which they have been treated, and of which every man in it must detect the folly."§

"For so extensive an injury to a country whose right of independent sovereignty was violated, and whose commerce was destroyed by this proceeding, it would have been in vain to search for authorities or precedents any where."||

We have seen that French consular certificates of the origin of the cargo of a vessel, by the orders in council subjected both vessel and cargo to condemnation.

* Idem, pp. 57 & 58. † Idem, page 58. ‡ Idem, page 59.

§ Idem, page 63. || Idem, page 64.

On the iniquity of this feature of the orders, Mr. Baring remarks :—

"We in many cases require foreign articles, imported into this country to be accompanied by certificates from our consuls abroad. Nothing can therefore, be more frivolous than the assertion of our right to complain of the acquiescence of American merchants in the regulations of France respecting certificates of origin."*

I hope the reader will attend to the result of this feature of the orders in council. Let it never be forgotten. It is worthy of being borne in eternal remembrance. If they had no other odious feature, this would be sufficient to disgrace them and their authors and abettors. Suppose Mr. George Cabot, Mr. James Lloyd, jun. Timothy Pickering, or Commodore Dale, or any other citizen of the United States, to send a vessel to sea, owned by himself, manned with American sailors, and loaded with American productions—bound for the solitary corner of Europe, Sweden, which was not interdicted by the orders in council—suppose her provided with a French consular certificate of the origin of the cargo :—and finally, to close our suppositions, suppose her carried into London by a British privateer—and brought before Sir William Scott for adjudication.—She would most assuredly be condemned for an INFRINGEMENT OF THE LAW OF NATIONS, *in being provided with a French consular certificate!!!* What an awful mockery of justice in those who prescribed—what a shameful prostration and baseness of mind in those who preached submission to—such a lawless regulation, calculated to "*prey upon the unprotected property of a friendly power.*"†

"The comprehensive nature of the injury which America must suffer from our system, by leaving no class of its population unaffected by it, affords little hope of the interference of any for the

* Idem, page 66.

† See Boston Memorial, page 73.

preservation of peace. The great interest which a country still possessing the means of independence, should feel in the preservation of ours, will be lost in the more immediate and perceptible consequences of our folly and injustice."*

"The new orders were of a description to produce a revolution in the whole commerce of the world—and a total derangement of those mutual rights and relations by which civilized nations have hitherto been connected."†

"It must be evident from the whole tenor of our proceedings, that commercial interest has been our moving principle throughout; that every demonstration of the slightest hostility on the other side, has originated in our attempts to advance that interest in violating the rights and interests of others; and that if we are at last called upon to take up arms, it is on our part a quarrel about sugar and coffee, and not in support of national honour."‡

"The consequences of such a state of things must produce ruin to every class and description of persons in America: and they are so obvious, so inevitable, that one cannot avoid thinking, that they must have occurred to the framers of this new system"§

"To make this limitation of neutral trade a part of the law of nations, it is not sufficient that it should be asserted by one power — It must likewise be admitted by others; which is so far from having been the case, that in all our discussions about neutral rights, we have not only never obtained from any nation a recognition of this rule, but it does not even appear to have been at any time seriously insisted upon."||

"What can then be the object of holding up this rule [of 1756] as the palladium of our maritime rights, or why has it been so long dormant? Instead of America being accused of a disposition of encroachment hostile to our dignity, in refusing to admit into the law of nations, a principle which has neither been admitted by or enforced towards others, are we not rather ourselves wanting to our own dignity in proclaiming a law which we have never ventured to defend—in setting up a right, which, by our treaties with foreign nations, we have ourselves encouraged them to trample on?"¶

"It would have been highly interesting to know how many instances [of fraudulent ownership] had been discovered, as by pointing them out to our government, redress might have been obtained

* Enquiry, page 78. † Idem, page 10. ‡ Idem, page 79.

§ Idem, page 18. || Idem, page 22. ¶ Idem, page 23.

by application to that of America, whose strict attention to the character of her flag has always been remarkable."*

"I must say, and I speak from considerable experience, that the character of the great body of merchants in America, little deserves the unjust insinuations in which writers on this subject have indulged."†

"During a considerable part of the last and present war, we have indeed respected the rights of those not concerned in it. *But the conduct even of France, can furnish few stronger proofs of a disregard of them, and of more frivolous pretences by which they have been invaded, than may be found in our conduct in 1805, and still more in the recent measures which we have been considering*"‡

"If our commercial treaties with Portugal are to be held up, as they have been, to the admiration of statesmen, we cannot fail to admire the liberal policy of America towards the produce of our industry, when we consider the large balance which she annually pays us, and our illiberal jealousy of her intercourse with other countries, from which alone that balance can be paid"§

"If my former observations produce, as I think they must, a conviction that the trade and property so sported with, belong to an honest neutral, there can be no doubt that our conduct towards it deserves the name of THE MOST UNQUALIFIED INJUSTICE"||

The reader who compares the style and substance of the memorials, with Mr. Baring's essay, will find that coincidence, that cogency, that irresistible conviction which result from truth and honourable principles. The American merchants, eloquently and convincingly pleading for the rights of their country, and their own personal interests, unjustly assailed—speak nearly the same language, and make use of the same arguments, as Mr. Baring, when he sought to save his country from the disgrace and dishonour of employing her transcendent naval power to overwhelm and prey upon the commerce of an unoffending neutral, merely because that neutral was not in a state to defend itself.

I trust that no apology can be necessary for these copious extracts on this all-important topic. The high standing and character of the writer, as I have already observed, and take the liberty to repeat, entitle his sentiments to peculiar attention. Moreover, as an English merchant, interest, were he swayed by such a considera-

* Idem, page 32. † Idem, page 35. ‡ Idem, page 71. § Idem, page 88. || Idem, page 57.

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tion, would have led him to advocate the orders. But he had too high a regard for the honour of his country to wish it to be sacrificed to paltry and sordid considerations of interest.

What a humiliating contrast for an American to reflect upon—Mr. Baring pleading the cause of the injured United States in London—and Mr. Pickering and hundreds of other Americans pleading in Boston and elsewhere against their own country, and in defence of British inroads and British violence!

CHAP. XVI.

Embargo. Situation of American Commerce. Factionous clamour. Embargo a wise, prudent, and necessary measure.

I now proceed to consider the subject of the embargo, which was one of the most potent instruments employed to exasperate and inflame the passions of the people of the eastern states, and which actually prepared a portion of them for open resistance to the government.

The justice and propriety of every measure depend on the circumstances that accompany and induce it—the motives that lead to its adoption—and the consequences it is calculated to produce. Let us apply these tests to the embargo.

The reader has had the decrees and orders in council laid before him *in extenso*. He has seen the exposition of the injustice of the latter by Mr. Baring. And he has had an opportunity himself of calculating the effects of both decrees and orders.

From a calm consideration of these documents, and of their inevitable operation on our trade, it is perfectly obvious, that had our vessels sailed in December 1807, and January, February and March, 1808, as freely as they had formerly done, they would have universally fallen

sacrifices; those bound to France and her dependencies, to British—and those bound for the British dominions, to French cruisers.

This would have produced an almost universal bankruptcy among our insurance offices and merchants. Our ships, our sailors, and our cargoes would have augmented the resources of the belligerents, and enfeebled ourselves. The only question was, whether our vessels should remain at our wharves, the property of our merchants, or be carried to France and England, the prey of privateers. But for the embargo, there would have been such a calamitous scene produced as has rarely occurred in any nation. We should have suffered all the worst consequences of war, without any of its compensatory advantages. Our merchants would have once more made "the welkin ring" with their complaints of injury—their eloquent appeals to the law of nations—their clamours for redress—their reproaches of the government for its supineness, and their solemn* pledges of support. We should have again had to negotiate in vain for reparation. And we should have been goaded ultimately into a war, after having been defeated in our endeavours to escape it, and deprived of the most efficient means for its prosecution.

It has been said that the Berlin decree not having been carried into operation against American vessels; and our government not having received an authentic copy of the orders in council; therefore it was not justified in the recommendation of the embargo. And thus that degree of vigilance and care of the interests of the country and of the property of the merchants, which entitled Mr. Jefferson to a monument from the mercantile interest, has been made the ground-work of the most serious accusation.

There is no measure of the general government from its first organization to the present hour, more strongly

* I had written "hollow and deceptions"—But I struck the words out—how properly the reader will decide. I am doubtful myself of the correctness of the alteration.

marked with wisdom, with foresight, and with attention to duty, than this recommendation. There is, nevertheless, no measure that has generated more factious or senseless clamour—more envenomed prejudice—more unblushing misrepresentation.

The atrocious case of the *Horizon*, which was the first wherein the Berlin decree was carried into effect against American vessels, had previously occurred. Of this case Mr. Armstrong had transmitted an account in a letter dated Nov. 12, 1807, of which I have submitted a copy to the reader. This letter and the documents accompanying it, established beyond a possibility of doubt the extreme danger of our commerce from French cruizers and French courts.

Of the determination of the British government to meet the Berlin decree with measures of equal violence, undoubted information had been received by our administration in private letters and even in the public papers. The recommendation of the embargo took place on the 18th of December: and on that day there had been published in the *National Intelligencer* the following paragraph from a London paper:

“ *London, November 10.*

“ A proclamation is now, we understand, in readiness for his majesty's signature, declaring France and the whole of her vassal kingdoms in a state of siege, and prohibiting all intercourse with her or them—and all entrance of vessels into her or their harbours, EXCEPT OF SUCH AS HAVE CLEARED LAST FROM A BRITISH PORT, EITHER HOME OR FOREIGN.”

Thus, between the two nations, our commerce was completely cut up by the roots. The only part of Europe, except her own dominions and dependencies, that Great Britain allowed us to trade with, was Sweden. And the Milan decree by an extravagance of despotism, folly and wickedness, never exceeded in the annals of piracy and rapine, regarded every neutral vessel, that had been searched by a British cruizer, as ipso facto denationalized, and liable to be taken, bound whence or where the might. The mind is lost in astonishment at this *ne plus*

ultra of madness and rapine. It was punishing as criminal, an act perfectly innocent—wholly unavoidable—and in which the party punished had been merely passive.

Under these circumstances, what prudent merchant would send a vessel to sea—liable to capture whatever might be her destination? For even if bound to Sweden, or any other corner of Europe, (if any such there were, not embraced in the scope of decrees and orders in council, she might be searched by an English privateer, and thus be subjected to capture by the next French privateer that might overhaul her.

What course had a government to steer, which, bound to watch over the interests of its constituents, was sincerely disposed to perform that duty faithfully? Let any man not trammelled by faction or inveterate prejudice, calmly consider this question, and I feel most perfectly satisfied, he will reply—the alternative was, war against both nations—or a general embargo.

Notwithstanding this plain state of the case—notwithstanding the imperious necessity of this measure—there is no act of the government, since the inauguration of Mr. Jefferson, that excited so much outcry or clamour. It was the subject of incessant abuse in all the federal papers from New Hampshire to Georgia, and from the Mississippi to the Atlantic. It has been ten thousand times reiterated that it was unnecessarily oppressive—that it was wicked and tyrannical—dictated by Napoleon—a sacrifice of the dearest interests of the nation—and, to crown the whole, *unconstitutional*.

In times of faction, the public possesses a wonderful faculty of swallowing the most monstrous and improbable falsehoods. It was almost universally believed in the Eastern States, that the embargo was *the result of a combination between the southern and western states, to ruin New England!!!* I have repeatedly heard this assertion made by men otherwise of sound minds and cultivated understandings, and whose veracity convinced me that they did not attempt deception, but were themselves de-

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ceived. This extravagant idea proceeds upon the supposition, that the merchant whose vessels are obliged to remain unemployed at the wharves, will in consequence be ruined; but that the agriculturist whose wheat, flour, rice, cotton, naval stores, &c. stagnate on his hands, will thereby suffer no injury, although they fall in value 30, 40, 50, or 60 per cent. 'Tis passing strange!

Never was there a more factious or unfounded clamour excited. Never, I repeat, was a public measure more loudly called for by existing circumstances, never one better timed, and never one that would have produced more salutary consequences, had not faction deprived it of its efficacy.

I feel perfectly satisfied, that with the knowledge Mr. Jefferson possessed of the mighty dangers impending over our commerce, he would have justly merited impeachment for a dereliction of his duty, had he not recommended an embargo for its protection.

Mr. Pickering was the earliest, the most ardent, and the most zealous opponent of the embargo. After having in vain made every exertion to prevent its passage in the senate, he laboured to excite a strenuous opposition to it in his own state, and in the other eastern states. He wrote a long, elaborate, and impassioned letter against it to the governor of Massachusetts, in which he endeavoured to prove the measure wholly unnecessary—and insisted that England had done our commerce no essential injury. He regarded it merely as a measure of hostility to England.

To form a correct idea of the embargo, it must be considered in two points of view, wholly distinct—one, its original enactment—the other its duration. The latter may have been, and I believe was an error. But I should not hesitate at this moment to submit the decision of the question to Rufus King, George Cabot, or James Lloyd, jun. whether an embargo was not an indispensable measure, at a period when all Europe, except Sweden, was declared in a state of blockade?

The embargo was laid on the 23d of December, 1807. Mr. Pickering's letter was dated Feb. 16, 1808—and of course its thunders must have been hurled against the enactment of the law—and had no reference whatever to its duration.

I deem it therefore highly proper to place Mr. Pickering's declarations in contrast with each other—and likewise with the real state of affairs. The reader will then be enabled to decide the question correctly himself.

Let me explain the four succeeding columns. The first contains a statement of the British depredations on American commerce, abstracted from the mercantile memorials of 1805 6—the second, Mr. Baring's statement of the effects of the orders in council—the third, the resolution of the senate, Feb. 10, 1806, on which Mr. Pickering voted in the affirmative—and the fourth, Mr. Pickering's vindication of England, Feb. 16, 1808.

1805—6. MEMORIALS.	1808. MR BARING	Mr Pickering's sentiments, Feb- ruary 10, 1806.	Mr. Pickering's sentiments, Feb- ruary 16, 1808.
"We confine ourselves to the more alarming, because more extensive detentions and condemnations of American vessels by Great Britain."	"All trade directly from America to every port and country at war with Great Britain, or from which the British flag is excluded, is totally prohibited. In this general prohibition, every part of Europe, with the exception of Sweden, is included: and no admiral-ty, of America is made between the domestic and foreign colonies, re-export-	"The capture & condemnation of British goods, and the seizure of American vessels, and the prohibition of trade with the United States, are all measures of war, and are entirely consistent with the rights of a belligerent nation."	"These facts demonstrate, that although England with her thousand ships of war, could have destroyed our commerce, SHE HAS NOT DONE IT."
"New vessels, on their first passage from the United States to Europe, are arrested, carried out of their course, and injuriously detained under the vexatious pretence of a continuity of voyage from the country or colony of a belligerent."	"It cannot become the magnanimity of a great and powerful na-	"The capture & condemnation of British goods, and the seizure of American vessels, and the prohibition of trade with the United States, are all measures of war, and are entirely consistent with the rights of a belligerent nation."	"These facts demonstrate, that although England with her thousand ships of war, could have destroyed our commerce, SHE HAS NOT DONE IT."

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tion to prey upon the un-protected property of a friendly power."* their being JURY."*

"Having totally suppressed the external commerce of her ene-
mies, Great Britain is now counselled to appropriate to herself that of her friends."†

"This rule must infallibly destroy the commerce of this country."†

"This novel principle goes to nothing short of the destruction of neu-
tral commerce."†

"Every sail is stretched to collect the unwary Americans, who are unsuspectingly confiding in what was the law of nations."†

"Our vessels and effects, to a large amount, have lately been captured by her commissioned cruisers, upon the foundation of new principles, suddenly invented"§

"The revival of her discarded rule was characterized with such circumstances of iniquity and violence as rather to heighten by the contrast the veneration of mankind for the past justice of her tribunals"§

"The heralds by whom this instruction was first announced, * Boston Memorial
† N York Memorial.
‡ Philadelphia Memorial.
§ Baltimore Memorial.

* Boston Memorial
† N York Memorial.
‡ Philadelphia Memorial.
§ Baltimore Memorial.

ably be no exag-geration to say, the enemies that upwards of three fourths of all the merchants, sea-bited in time of peace, is an aggression upon the promer-its of the United States—a violation of their neutral rights—and an encroachment upon the power of France BUT their nation-
THEY FEEL EV-ence."

ica, have, at some time or other, suf-fered from acts perty of the cruisers, citizens of which to them the United States—have appeared unjust, and which olation of frequently must their neutral have been so rights—and They read, it is an encroach-ment upon true, of the power of France BUT their nation-
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THEY FEEL EV-ence."

* Letter from the hon Timothy Pickering, senator from the state of Mass. to his excellency Jas. Sullivan, to be by the governor of the U. S. see page 93.

* Resolution agreed to by the senate of the U. S. see page 93.

where the commanders of a long and bloody war; and it of her commissioned dy war; and it cruizers, who at the can hardly be sup- same time carried it in- posed that Ameri- to effect with every cir- ca will now submit cumstance of aggrava- to a direct attack tion, if, of such an act, on her sovereign there can be any aggra- and independent vation."§ rights."†

It is not for me, to reconcile Mr. Pickering's sentiments to each other, nor to the tenor of the memorials... nor to Mr. Baring's correct view of the orders in council. Let it be observed, that the "*unprovoked aggression*" of 1806, remained unredressed at the date of the letter to governor Sullivan, February 1808. And further, to this "*unprovoked aggression*," of 1806, the orders in council had been added in 1807, which more than quintupled the original outrage. But even independent of this extravagant addition, it is out of my power by all the rules of logic at my command, to satisfy my mind how "*the capture and condemnation of our vessels*—under false "*pretexts*" and, as appears by the memorials of the merchants, to a most enormous amount—"the *unprovoked aggression upon the property of our citizens*"—the "*violation of our neutral rights*"—and "*the encroachment upon our national independence*" can be made to accord with the broad, the sweeping, the unqualified assertion that Great Britain has "*really done our commerce no essential injury.*"

To be serious; for the subject requires seriousness and sobriety. Is not this a most astonishing and never-enough-to-be-lamented instance of the horrible delusion in which strong party passions involve those who submit to their guidance? Can light and darkness—vice and virtue—seraphs and demons—be more opposite to each other than these assertions are? Would it not have been a most awful inconsistency had they both been contemporaneous—had the state of affairs at the period of making the second, been exactly what it was at the period of making the first? But what an immense aggravation does this

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inconsistency receive from the consideration that in Feb. 1808, the first grievances had been unredressed, and others, as I have stated, incomparably more intolerable, been added? The orders in council were, in outrage, and injustice, and infraction of our rights of sovereignty, as far beyond the ground of complaint in 1806, as wanton murder is beyond mere assault and battery.

Never was I more deceived in my life, than I am at this moment, if every candid, unbiassed reader does not agree with me that the opposition to the operation of the embargo was factious, absurd, and impolitic in the extreme; and that those who rendered the law nugatory and unavailing, have a high crime to answer for to their injured country.

In order to avoid the pressure of the embargo, and to hold out inducements to our citizens to violate it, the following order in council was published by the British government.

GEORGE R.

Instructions to the commanders of our ships of war and privateers. Given at our court at Windsor, the 11th day of April, 1808, in the 48th year of our reign.

Our will and pleasure is, that you do not interrupt any neutral vessel laden with lumber and provisions, and going to any of our colonies, islands, or settlements, in the West Indies, or South America, to whomsoever the property may appear to belong, and notwithstanding such vessel may not have regular clearances and documents on board; and in case any vessel shall be met with, and being on her due course to the alleged port of destination, an endorsement shall be made on one or more of the principal papers of such vessels, specifying the destination alleged, and the place where the vessel was so visited; and in case any vessel so laden shall arrive and deliver her cargo at any of our colonies, islands, or settlements aforesaid, such vessel shall be permitted to receive her freight, and to depart, either in ballast, or with any goods that may be legally exported in such vessel, and to proceed to any unblockaded port, notwithstanding the present hostilities, or any

future hostilities which may take place; and a passport for such vessel may be granted to the vessel by the governor, or other person, having the chief civil command of such colony, island, or settlement.

G. R.

This unparalleled document demands attention.—The ministers who prostituted the name of their sovereign, by subscribing it to such an instrument, merit and must receive the reprobation of every high-minded Englishman, who feels for the honor or dignity of his native country. What! one of the most potent monarchs of the universe, rather than do justice to an unoffending nation, inviting, and tempting, and affording facilities to its citizens to break the laws of their country, and openly pursue the infamous trade of smuggling!

The subject affords an ample field for, and invites to copious comments. But I forbear. I leave it to the calm consideration of the candid reader.

CHAP. XVII.

Enquiry into the constitutionality of the act for enforcing the Embargo. Compared with acts passed during the presidency of Gen. Washington and John Adams.—Not so rigorous. Factious clamour. Lamentable public delusion.

The original embargo act had been openly and flagrantly violated. The public prints in Boston had explicitly and audaciously invited the citizens to set it at defiance. The British government had also, as we have seen, added the allurements of its powerful invitation. And it needed not such an invitation. There are always to be found in every community, men who will seek the shortest road to fortune, whether through the dark paths of smuggling, or otherwise. And these men united their obstreperous brawlings, with the clamour raised by those whose object was to harass the government. Thus was removed from the crime of

smuggling, the odium it deserved, and transferred to an act calculated to preserve the property of the merchants from belligerent depredation; an act, be it never forgotten, which was the mildest mode of procuring that redress which the mercantile part of the community had so loudly clamoured for—and in the pursuit of which, they had so solemnly pledged themselves to support the government.

To prevent these evasions, an act was passed to enforce the embargo. This was necessarily more strict and severe in its provisions than the original act. Meetings were held in various parts of the United States, denouncing the latter as oppressive and unconstitutional. A very numerous and respectable one was held in the city of Philadelphia, attended by a large proportion of the merchants, and a great number of other citizens. Of this meeting commodore Truxton was chairman. Sundry resolutions were passed, which embraced the essence of all the objections raised against it throughout the union. I shall assume these resolutions as a text to reason upon, and shall endeavour to refute the objections.

During the administration of General Washington, an embargo act had been passed by Congress. And during his administration and that of Mr. Adams, various other acts had been passed embracing prohibitory and penal clauses of a tenor similar to those of the embargo law. Some of their clauses were far more exceptionable than those of Mr. Jefferson's embargo act.—No federalist will pretend that any of those acts were unconstitutional. If therefore Mr. Jefferson's act contains no provision whatever, which is not substantially to be found in those passed during the administration of the two first presidents, I presume that there is not a candid federalist in the union who will hesitate to admit that the clamour against the former, as unconstitutional, was truly "factious."

The 9th, 10th and 11th sections were the most rigorous, the most obnoxious, and of course were selected

at the Philadelphia meeting, as fit subjects for denunciation. I shall therefore fairly collate them with the corresponding sections of the former embargo and other acts passed during the reign of federalism, to enable the reader to form his opinion :

Proceedings of Philadelphia Meeting, Commodore Truxton in the Chair.

" *Resolved*, that we consider the late act of congress, commonly called, " The enforcing law," to be a direct invasion of the established principles of civil liberty, and of the express provisions of the constitution ; as arbitrary and severe to a degree unnecessary, even to accomplish the objects for which the law is professed to have been enacted ; as creating an enormous and dangerous augmentation of executive influence and power ; and as unnecessarily exposing the citizen to the miseries of civil discord and military execution.

" *Resolved*, that the 9th section of this act, which authorizes a ministerial officer, without *process* of law, to seize goods at his discretion, under a pretence that *he believes* they are intended for exportation, or *apparently* on the way to the territories of a foreign power, is, in our opinion, a breach of the fourth article of the amendments to the constitution, which provides, " that the right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated : " and of the 5th article of the amendments, which declares, " that no man shall be deprived of life, liberty or property, but by due process of law."

" **ENFORCING LAW,**
Signed by JEFFERSON.

PRECEDENTS
Signed by WASHINGTON and ADAMS.

1. ' That the collectors of all the districts

1. ' That every collector, naval officer and surveyor, or other person especially

of the U. States, shall
'and they are hereby au-
'thorized to take into
'their custody specie, or
'any articles of domea-
'tic growth, produce or
'manufacture, found on
'board of any ship or
'vessel boat or other
'water craft, when there
'is reason to believe that
'they are intended for
'exportation :

2. 'Or when in ves-
'sels, carts, waggons,
'sleighs, or any other
'carriage; or in any
'manner apparently on
'their way towards the
'territory of a foreign
'nation, or the vicinity
'thereof, or towards a
'place where such arti-
'cles are intended to be
'exported :

3. 'And not to per-
'mit such articles to be
'removed until bond
'with sufficient sureties
'shall have been given
'for the landing, or the
'delivery of the same in
'some place of the Unit-
'ed States, where, in
'the opinion of the col-
'lector, there shall not
'be any danger of such
'articles being export-
'ed.—Laws U. States,
vol IX. page 192, Sect.
9, of the act to enforce
the embargo.

'appointed by either of them for that pur-
'pose, shall have full power and authority
'to enter any ship or vessel, in which they
'shall have reason to SUSPECT any goods,
'wares or merchandize, subject to duty
'shall be concealed, and therein to search
'for, seize and secure any such goods,
'wares and merchandize, &c.—See act of
31st July, 1789, sect. 24. Act of 4th Au-
gust, 1790, sect. 48.

'That it shall be the duty of the several
'officers of the customs to make seizure of
'and secure any ship or vessel, goods, wares
'or merchandize which shall be liable to
'seizure by virtue of this act, as well with-
'out, as within their respective districts.'—
See sect 26 and 50 of the same act—See
also, act of the 2d March, 1799, sect. 68.
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'That it shall be lawful for any officer
'of the revenue, to go on board of any
'ship or vessel, whether she shall be with-
'in, or without his district, and the same
'to inspect, search and examine, and if it
'shall appear, that any breach of the laws
'of the United States, has been committed
'&c. to make seizure of the same.'—See
act of 18th February, 1793 sect 27.

'That any of the aforesaid articles (arms
'and ammunition) excepting such of them
'as may constitute a part of the equipment
'of any vessel, which, during the continu-
'ance of this prohibition, shall be found on
'board of any vessel in any river, port,
'bay, or harbor, within the territory of
'the United States, with an intent to be ex-
'ported from the United States, to any fo-
'reign country, shall be forfeited, &c.'—
See act of 22d May, 1794, sect 2

'That all goods, wares and merchandize
'brought into the U States by land, con-
'trary to this act shall be forfeited, to-
'gether with the carriages, horses and oxen,
'that shall be employed in carrying the
'same; provided nothing herein shall be
'construed to extend to household furni-
'ture and clothing, belonging to any per-
'son, or persons, actually coming into any
'part of the United States, for the purpose
'of becoming an inhabitant, or inhabitants

ADAMS.

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especially

'thereof.'—See act of 4th August, 1790, sect. 70.

'That it shall be lawful for the President of the United States, to give instructions to the commanders of the public armed ships of the United States to stop and examine any ship or vessel of the United States on the high sea, which there may be reason to suspect to be engaged in any traffic or commerce contrary to the true tenor hereof, &c.'—Act of 9th February, 1799, sect. 5.

REMARKS.

On the 'Enforcing Law.'

1. Ministerial officers are authorized to act without process of law.

2. Ministerial officers may take goods into their custody found on board of any ship or vessel.

3. Ministerial officers, without process, may seize goods on board of any vessel, when there is *reason to believe*, that they are intended for ex-

On the Precedents.

1. Ministerial officers are authorized to act without process of law.

2. Ministerial officers, or other persons specially appointed by them, may enter any ship or vessel and the goods on board, as well without, as within their respective districts: and commanders of public vessels may seize ships on the high seas, bound or failing towards any interdicted French port, there being reason to suspect an illicit traffic.

3. Ministerial officers, or any person appointed by them, may enter any vessel, in which they have reason to suspect goods subject to duty are concealed, &c. And if it shall appear to them, that any breach of the laws is committed; or (in the case of

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arms and ammunition) that there was an *intent to export*, they may make seizures.

4. Ministerial officers without process may detain goods apparently on their way to be exported, till security is given, that they shall not be exported.

4. Ministerial officers without process may seize goods apparently on their way to be imported by land; and vessels apparently on their way towards a French port, may be seized by military officers.

5. The power of seizure is confined to goods, &c. found on board of vessels, or apparently on their way to be exported. There is no power given to any ministerial officer to enter any house without process.

5. The seizure is extended to goods, &c. found on board of vessels, or apparently on their way to be imported by land, and to vessels on the high seas. There is no power given to a municipal officer to enter houses without process.

Commodore Truxton's third Resolution.

"Resolved, That the tenth section is contrary to the spirit of the constitution, inasmuch as it vests in the president a legislative authority by giving to his instructions, in certain cases, the force of law."

"ENFORCING LAW."

"The powers given to the collectors, either by this or any other act, respecting the embargo, to refuse permission to put any cargo on board any vessel, boat or other water

PRECEDENTS, &c.

Under Washington and Adams.

"That the President of the United States be, and he hereby is authorised and empowered, whenever in his opinion the public safety shall so require, TO LAY AN EMBARGO on all ships and vessels in the ports of the United States, or the ships and vessels of any foreign nation, under such regulations as the circumstances of the case

'craft, to detain any vessel, or to take into their custody any articles for the purpose of preventing violations of the embargo, shall be exercised in conformity with such instructions, as the President may give, and such general rules as he may prescribe for that purpose, MADE IN PURSUANCE OF THE POWERS AFORESAID; which instructions and general rules, the collectors shall be bound to obey.'—Idem, Section 10.

'may require, and to continue or revoke the same, whenever he shall think proper. AND THE PRESIDENT IS HEREBY FULLY AUTHORIZED TO GIVE ALL SUCH ORDERS TO THE OFFICERS OF THE UNITED STATES AS MAY BE NECESSARY TO CARRY THE SAME INTO FULL EFFECT.'—See act of 4th June 1794, section 1.

'That an embargo be laid on all ships and vessels in the ports of the United States, whether already cleared out or not, bound to any foreign port or place, except ships or vessels under immediate directions of the president of the United States AND THAT THE PRESIDENT OF THE UNITED STATES BE AUTHORIZED TO GIVE SUCH INSTRUCTIONS TO THE REVENUE OFFICERS OF THE UNITED STATES, AS SHALL APPEAR BEST ADAPTED FOR CARRYING THE SAID RESOLUTION INTO FULL EFFECT.'—Resolve of 26th March, 1792.

'That the president of the United States be, and he is hereby authorized, to direct the revenue officers, and the officers commanding forts and revenue cutters to aid in the execution of the health laws of the states, respectively in such manner as may to him appear necessary.'—Act of 27th May, 1796.

'That it shall be lawful for the president of the United States, if he shall deem it expedient and consistent with the interest of the United States, by his order, to remit and discontinue, for the time being, the restraints and prohibitions aforesaid, either with respect to the French Republic, or to any island, &c with which a commercial intercourse may be safely renewed; and also, to revoke such orders, whenever, in his opinion, the interest of the United States shall require.'—Act of 9th February, 1799, sect 4.

'That it shall be lawful for the president of the United States at any time during the continuance of this act to order all such aliens, as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable ground to suspect, as concerned in any treasonable or secret machinations against the government thereof, to depart out of

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'the territory of the United States, within such times as shall be expressed in such order.' Act of June 25, 1798, sect. 1.

'And all marshals and other officers of the United States, are required to execute all precepts and orders of the president of the United States, issued in pursuance or by virtue of this act.' *Ibid.*, sect. 4.

REMARKS.

On 'The Enforcing Law.'

1. There is no legislative power given to the President. The constitution declares that he shall see the laws faithfully executed.---His instructions are to be given in order to execute the law, not to make it; and the instructions must be in pursuance of the powers expressly granted to the collectors by the law.

On the Precedents.

1. The president is empowered to lay, and to revoke embargoes. His discretion in establishing regulations, is only limited "to such as the circumstances of the case may require;" while his orders might be directed to, and must be obeyed by, all officers of the United States civil and military, he being constituted the sole judge of what orders were necessary, to carry an embargo into effect!

2. The president's instructions to military and civil officers, are, also absolute, without any limitation by law, or any use of civil process, to aid in execution of State Health Laws; to enforce the non-intercourse Laws against France; and to expel aliens from the country.

Commodore Truxton's fourth Resolution.

"Resolved, That the eleventh section of the act violates a political and civil right, more sacred than any constitution, in authorizing the military to fire

upon the people, without the sanction or interposition of the civil authority. The principle contained in this section, if much further extended, might, with competent force, convert our government into an absolute despotism."

' ENFORCING LAW.'

' It shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces, or militia of the United States, or of the territories thereof, as may be judged necessary, in conformity with the provisions of this, and other acts respecting the embargo, for the purpose of preventing the illegal departure of any ship or vessel, or of detaining taking possession of and keeping in custody and guarding any specie or article of domestic growth, produce, or manufacture, and also, for the purpose of preventing and suppressing any armed or riotous assemblage of persons resisting the Custom House Officers, in the exercise of their duties, or in any manner opposing the execution of the laws laying an embargo, or otherwise violating, or assisting and abetting violations of

PRECEDENTS,

Under Washington and Adams.

In every case arising under this act, 'it shall be lawful for the President of the United States or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be judged necessary for the purpose of taking possession of and detaining any such ship, or vessel, with her prize, or prizes, if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring of such prize or prizes, in the cases in which restoration shall have been a judgment; and also, for the purpose of preventing the carrying on of any such expedition or enterprise from the territories of the United States, against the territories or dominions of a foreign prince, or state, with whom the United States are at peace.'—Act of the 5th June, 1794, sect. 7.

'That whenever the laws of the United States shall be opposed, or the execution thereof obstructed in any state, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshal by this act, [the same powers in executing the laws of the United States as sheriffs possess for executing the state laws] it shall be lawful for the President of the United States to call forth the militia of such state, or of any other state, or states, as may be necessary, to suppress such combinations, and to cause the laws to be duly executed, &c.'—Act of the 24th May, 1792.

'Provided, that whenever it may be necessary, in the judgment of the President, to use the military force hereby di-

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'rected to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes, within a limited time.'—*Ibid*, sect. 3.

REMARKS.

On 'The Enforcing Law.'

On the Precedents.

1. In the 'Enforcing Law,' there is an authority given to call out such part of the military, as is judged necessary to execute the law; but it is not true, that the military are authorized expressly, or by reasonable implication, to fire upon the people, without the sanction or interposition of the civil authority. No such language or meaning can be traced in the law.

2. The terms of the "Enforcing law" authorizing a call upon the military, are evidently predicated upon the ascertained incompetency of the

1. In the act of the 5th of June, 1794, the same provision is made for calling out the military to aid in the execution of the law without any reference to the sanction, or interposition of the civil authority.

2. During the respective administrations of Washington and Adams, the military were often called out without the express sanction or interposition of the civil authority, to aid in the execution of the laws. The instances will occur to every man, who re-

civil power to execute the law; for, 1798. the call must be *judged necessary* to effect the specific purposes of the law: but if the custom-house officers can execute the law, with the aid of the civil process, it never could be judged necessary to call out the military.

3. The 'Enforcing law' does not require a proclamation.

3. The act of the 28th of February, 1795, requires a proclamation; but it is by way of admonition to the people; and neither suspends the call, nor the employment, of the military. Such was the construction of President *Washington* under the previous law, of a similar import, passed in 1792.*

To the candour of the reader I freely appeal. Let him carefully compare these various sections together. Let him more particularly observe, that by the act of June 4, 1794, congress actually vested the president with the *power of LAYING AN EMBARGO*, "*whenever in his opinion the public safety should require it*;" which was, so far as respects this important branch of legislation, *an actual surrender of the legislative power into the hands of the executive magistrate*—and that they likewise gave him the power

* The comparison of, and the remarks upon, these acts, are taken from a pamphlet, published in Philadelphia, in 1809, and entitled "The Constitutionality of the Embargo laws, established by precedent"—as luminous and unanswerable an essay as ever published.

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"of giving such orders as might be necessary to carry into effect," the law which he had, of his own mere motion, the "legislative power" to enact.—When he has duly pondered on these things,—and fully ascertained that Mr. Jefferson's embargo act in no instance exceeded, and in many fell far short of, the former ones—will he not be lost in amazement, how it was possible so to work upon the public passions, respecting this necessary measure, as to actually endanger the permanence of the union? for it is an indubitable fact that insurrection and rebellion were threatened—and it has been repeatedly asserted and confidently believed, that the eleventh congress, through apprehension of that issue alone, repealed the embargo act.

I ought not to omit that the legislature of Massachusetts actually passed an act making a compliance with some of the provisions of the embargo law criminal, and attaching to it certain penalties. It is out of my power to procure the act, or to state its details. But of its existence there is not the shadow of a doubt.

I annex a few specimens of the style and substance of the resolutions and legislative remarks upon the embargo,—in order to satisfy the reader that I have not exaggerated the phrenzy of the public mind.

*Extract from the resolutions of the town of Gloucester,
January 12th, 1809.*

"Resolved, that we will mutually watch and protect what little property we have still left—that we will use all lawful means 'to arrest disturbers and breakers of the peace or such others as may, (under pretence of authority from government) go armed by night,' or utter any menaces, or threatening speeches to the fear and terror of the good people of this town; and that we will ever hold in abhorrence pimps, and spies, and night-walkers, who strive to fatten on the spoils of their suffering fellow-citizens.

'Resolved, that to our state government we look for council, protection and relief, at this awful period of general calamity."

Extract from the resolutions of the town of Bath.

"Resolved, that we have hitherto borne with silence the severe pressure of these ruinous laws [embargo laws]—and although we now deem

it our duty to speak with firmness and decision our detestation of them and the policy which gave rise to them, we will still keep down the spirit of indignation which swells within us at the endurance of them, and will conduct toward the national government and its several officers with suitable deference and moderation; that we do however despair of obtaining any redress of these grievances, from that government, while its principal offices are filled as at present; and that our only hope is that the state government, by their remonstrances and resolutions, may have more influence in effecting this object, than the petitions and memorials of individuals and towns.

"Resolved, therefore, that a respectful address be forwarded in the name of the people of this town to the legislature of this commonwealth, stating to them the wrongs and grievances we already suffer, and the fearful apprehensions we experience of speedily having our calamity increased by the addition of still more restrictive and arbitrary laws; expressing to them our approbation of the measures they have already adopted upon this important object, and requesting them to take such other immediate steps for relieving the people, either by themselves alone, or in concert with other commercial states, as the extraordinary circumstances of our situation may require."

Extract from the memorial of the town of Boston to the legislature of Massachusetts.

"The inhabitants of the town of Boston, in town meeting assembled, respectfully represent—That they are constrained to apply to your honourable body, as the immediate guardians of their rights and liberties, for your *interposition* to procure for them relief from the grievances which they now suffer under the operation of the laws of the general government, abolishing foreign commerce, and subjecting the coasting trade to embarrassments which threaten its annihilation. Our hope and consolation rest with the legislature of our state, to whom it is competent to devise means of relief against the unconstitutional measures of the general government: that your power is adequate to this object is evident from the organization of the confederacy." 1809.

Extract from the proceedings of the town of Topsfield.

"Resolved, That such has been our suffering, and so great is our alarm occasioned by the extraordinary measures lately adopted, that we shall never be contented until we are secured from a repetition of the same evils. That a bare repeal of the obnoxious acts ought not, therefore, to satisfy a free and prudent people, any more than the repeal of the British stamp act silenced the patriots of that day—that there ought to be a solemn renunciation of the right thus assumed;

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and it is the opinion of this assembly that legal and constitutional mea-
sures should be adopted for that purpose

"This assembly declare it as their deliberate opinion that there ex-
ists NO CAUSE of war with Great Britain; that such a war would be
unjust, unnecessary, and extremely to be deplored; that the removal
of the embargo will not necessarily involve us in war; but should this
be the alternative, it ought to be a war with France and not with Great
Britain

"Inhabiting a part of the union the most engaged in foreign com-
merce, they think themselves qualified to decide upon its risks, and the
nature and extent of the injuries to which it is exposed; and it is their
firm belief that our commerce, unrestrained by self-destroying measures,
might find many sources of profitable employment, *without interfering
in any degree with those principles of maritime law, which GREAT
BRITAIN deems essential to her existence, and which in an eventful mo-
ment like the present she will NEVER YIELD.*

"And this assembly cannot refrain from expressing their conviction,
that neither the honour nor the permanent interests of the United
States require that we should drive Great Britain, if it were in our
power, to the surrender of those claims so essential to her in the
mighty conflict in which she is at present engaged; a conflict interest-
ing to humanity, to morals, to religion, and the last struggle of liber-
ty." 1809.

Extract from a Circular Handbill Published at New- buryport.

"You have reposed confidence in a COWARD [Jefferson] and leaned
on a broken staff too long.—The day of political probation is fast verg-
ing to a close—when the fate of America will be decided, and laurels
bought with the price of freemen's blood will grace the brows of the
Gallic tyrant. Let every man who holds the name of America dear to
him, stretch out his hand, and put this accursed thing, the EMBARGO,
from him. Be resolute; act like sons of liberty, of GOD and of your
country—nerve your arms with VENGEANCE against the DESPOT
who would wrest the inestimable germ of your independence from
you—and you shall be conquerors!

"Give ear no longer to the syren voice of democracy and *Jefferso-
nian liberty*—it is a cursed delusion, adopted by traitors, and recom-
mended by sycophants.

"Jefferson—a man, who with the DAGGER of popular confidence,
first gave the stab to your liberties."— 1809.

Extract from the proceedings of the town of Augusta in Maine, Jan. 16, 1809.

"The awful crisis has arrived, when it becomes necessary for the
friends of our independence, to make a firm and decided stand—

when it becomes all-important to throw aside minor considerations, and unite for the common good; and when a sense of common danger draws us together to meet the approaching storm.

"With submission almost amounting to criminal apathy, we have suffered privations and restrictions, never before expected of or endured by a free people. Now, that even the means of subsistence is at hazard, and the sacred asylum of our dwellings, is no longer held inviolable—silence would be crime, and resistance would become a virtue of the first magnitude!!!

"Resolved, that the restrictions and impositions on our trade and commerce, are too great and ruinous, any longer to be borne—and that the general distress of our country demands immediate relief."

Extract from the Speech of Mr. Hillhouse in the Senate of the United States, on the bill for enforcing the Embargo:—

"In my mind the present crisis excites the most serious apprehensions. A storm seems to be gathering which portends not a tempest on the ocean, but domestic convulsions!—However painful the task, a sense of duty calls upon me to raise my voice, and use my utmost exertions, to prevent the passing of this bill. I feel myself bound in conscience to declare, lest the blood of those who should fall in the execution of this measure may lie on my head, that I consider this to be an act which directs a mortal blow at the liberties of my country: an act containing unconstitutional provisions, to which **THE PEOPLE ARE NOT BOUND TO SUBMIT**, and to which, in my opinion, *they will not submit*.*

This speech requires a most serious reflection. A senator of the United States—whose age ought to have secured him from the heyday of passion and violence, and taught him sobriety and gravity, in his place invites and encourages his fellow citizens to insurrection and rebellion. And the law to which he excites resistance is not so rigorous, as laws which, I believe, he had concurred to frame: for I am persuaded he was in congress when those laws to which I have referred, were passed.

A large volume might be filled with similar "patriotic proceedings" as they were then styled, which threatened the peace of this country with destruction.

* For the preceding extracts I am indebted to a pamphlet, styled "Things as they are."

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No pains had been spared to fan the flame. The public mind by incessant appeals to the passions, had been excited to a species of delirium and madness. And such was the delusion, that the sufferings of the country by the lawless proceedings of the belligerents, were unjustly ascribed to the measures of the government, calculated to enforce redress. Greater insanity can hardly be conceived.

CHAP. XVIII.

Embargo repealed. British and French vessels interdicted from entering our harbours. Importations from both countries prohibited. Invitation held out to both to cease their outrages on our commerce.

The clamour excited against the embargo—the tumultuous proceedings in the eastern states—its inefficacy to answer the purpose intended, arising partly from the factious and disorganizing and jacobinical opposition it met with, and partly from the imbecility of Mr. Jefferson's administration, in not duly enforcing it, as I have already stated*—all combined to produce its repeal, which took place on the first of March, 1809.

As a pacific measure, in lieu of the embargo, to induce the belligerents to respect our rights, and to cease punishing us, under pretence of retaliation upon each other, the act commonly styled the non-intercourse act, was passed, of which I annex those sections which contain its leading features.

An Act to interdict the Commercial Intercourse between the United States and Great Britain and France, and their dependencies; and for other purposes.

Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That from and after the passage of this act, the entrance of the harbors and waters of the Unit-

* See page 37.

ed States and of the territories thereof, he, and the same is hereby interdicted to all public ships and vessels belonging to Great Britain or France, excepting vessels only which may be forced in by distress, or which are charged with despatches or business from the government to which they belong, and also packets having no cargo or merchandise on board. And if any public ship or vessel as aforesaid, not being included in the exception above mentioned, shall enter any harbour or waters within the jurisdiction of the United States, or of the territories thereof, it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land and naval forces, or of the militia of the United States, or the territories thereof, as he shall deem necessary, to compel such ship or vessel to depart.

Sec. 3. *And be it further enacted*, That from and after the twentieth day of May next, the entrance of the harbours and waters of the United States and the territories thereof be, and the same is hereby interdicted to all ships or vessels sailing under the flag of Great Britain or France, or owned in whole or in part by any citizen or subject of either; vessels hired, chartered or employed by the government of either country, for the sole purpose of carrying letters or despatches, and also vessels forced in by distress or by the dangers of the sea, only excepted,—*And if any ship or vessel sailing under the flag of Great Britain or France, or owned in whole or in part by any citizen or subject of either, and not excepted as aforesaid, shall after the said twentieth day of May next, arrive either with or without a cargo, within the limits of the United States or of the territories thereof, such ship or vessel, together with the cargo, if any, which may be found on board, shall be forfeited, and may be seized and condemned in any court of the United States or the territories thereof, having competent jurisdiction:—*and all and every act and acts heretofore passed, which shall be within the purview of this act, shall be, and the same are hereby repealed.

Sec. 4. *And be it further enacted*, That from and after the twentieth day of May next, it shall not be lawful to import into the United States or the territories thereof, any goods, wares, or merchandise whatever, from any port or place situated in Great Britain or Ireland, or from any of the colonies or dependencies of Great Britain; nor from any port or place situated in France, or in any of her colonies or dependencies; nor from any port or place in the actual possession of either Great Britain or France. Nor shall it be lawful to import into the United States, or the territories thereof, from any foreign port or place whatever, any goods, wares, or merchandise whatever, being of the growth, produce or manufacture of France, or of any of her colonies or dependencies, or being of the growth, produce, or manufacture, of Great Britain or Ireland, or of any of the colonies or dependencies of Great Britain, or being of the growth, produce or manufacture of any place or country in the actual possession of either France or Great Britain: *provided*, that nothing herein contained shall be construed to affect the cargoes of ships or vessels wholly owned by a citizen or citizens of the United States, which had cleared for any port beyond the Cape of Good Hope, prior to the twenty second day of December, one thousand eight hundred and seven, or which had departed for such port by permission of the president, under the acts supplementary to the act laying an embargo on all ships and vessels in the ports and harbors of the United States.

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Sec. 11 And be it further enacted That the president of the United States be, and he hereby is authorised, in case either France or Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, to declare the same by proclamation; after which the trade of the United States, suspended by this act, and by the act laying an embargo on all ships and vessels in the ports and harbours of the United States, and the several acts supplementary thereto may be renewed with the nation so doing; provided, that all penalties and forfeitures which shall have been previously incurred, by virtue of this or of any other act, the operation of which shall so cease and determine shall be recovered and distributed, in like manner as if the same had continued in full force and virtue: and vessels bound thereafter to any foreign port or place, with which commercial intercourse shall by virtue of this section be again permitted, shall give bond to the United States, with approved security, in double the value of the vessel and cargo, that they shall not proceed to any foreign port, nor trade with any country other, than those with which commercial intercourse shall have been or may be permitted by this act. *Enacted March 1, 1809.*

I have already stated how preposterously and absurdly this law was denounced by ninety-nine out of every hundred democrats in the United States, as feeble and imbecile. An impartial review of it will prove the folly of this denunciation. It evinces a deep sense of the grievous injuries the nation had sustained from both the belligerents. A sincere wish to return to the relations of peace and friendship with either or both—and an ardent desire to give a fair trial to every rational mode of procuring redress without a recourse to the horrors of war.

It held out in one hand prohibition and penalty for wrongs inflicted—in the other “the Olive Branch”—an invitation to, and premium for, a mere return to justice—a mere cessation of unprovoked hostility. The statute books of all the nations of Christendom may be searched in vain, for a law entitled to more unequivocal applause—and rarely has a law been more generally censured.

The federalists reprobated this act as well as the democrats—and with equal folly and madness—but on totally different grounds. They regarded it, forsooth, as too violent a measure—as calculated to produce

war--or in fact, absurdly enough, as a species of warfare.

"Sir, the bill before you is war. It is to suspend all intercourse, to put an end to all the relations of amity. WHAT IS THAT but war? War of the worst kind--war under the disguise of NON-INTERCOURSE--no power, having national feelings, or regard to national character, will SUBMIT to such COERCION *

"It [non-intercourse] is cowardly; for it is a base attempt to bring on a war with Great Britain.--It is FRENCH in every feature. It is intended as a measure of hostility against Great Britain."†

CHAP. XIX.

The Erskine arrangement. A most liberal and magnanimous procedure, probably never exceeded. Loudly applauded by all parties. Rejected by England. Censured by the federalists. Wonderful inconsistency.

Never was there a measure of more fairness and candour, than the arrangement made by our government with Mr. Erskine. The angels of diplomacy may be ransacked in vain to produce a negotiation more deserving of encomium, or more honourable to both parties. In forty-four days after Mr. Madison's inauguration, Mr. Erskine made candid overtures to our government for an accommodation of the existing differences between the two nations. They were met with a proper spirit of frankness, and with a promptitude never exceeded. The overtures were dated the 17th of April---the reply the same day;---Mr. Erskine's second letter the 18th, and the same day the reply of the secretary of state. And both parties being sincerely desirous of a reconciliation,

* Mr. Hillhouse's speech on the non-intercourse bill before the senate, February 22, 1809.

† Boston Repertory.

an equitable arrangement was adjusted in three days, that is to say, on the 19th, whereby neither the honour nor the interest of either nation was compromised.— And friendly intercourse between them was once more restored. Never was a negotiation conducted on more liberal or generous principles. It was manly and magnanimous—and affords one of the very few instances in which diplomacy was divested of her usual attendants, chicane and fraud.

To enable the reader to form a correct opinion on this subject, I annex the whole of the correspondence that took place respecting it between our government and the British minister. It will then appear that the transaction can hardly be too highly eulogized.

(No. I.)

MR. ERSKINE, TO MR. SMITH.

Washington, 17th April, 1809.

SIR,

"I have the honor to inform you, that I have received his majesty's commands to represent to the government of the United States, that his majesty is animated by the most sincere desire for an adjustment of the differences, which have unhappily so long prevailed between the two countries, the recapitulation of which might have a tendency to impede, if not prevent an amicable understanding.

"It having been represented to his majesty's government, that the congress of the United States, in their proceedings at the opening of the last session, had evinced an intention of passing certain laws, which would place the relations of Great Britain with the United States upon an equal footing, in all respects, with other belligerent powers. I have accordingly received his majesty's commands, in the event of such laws taking place, to offer, on the part of his majesty, an honorable reparation for the aggression, committed by a British naval officer, in the attack on the United States' frigate Chesapeake.

"Considering the act, passed by the congress of the United States on the first of March, (usually termed the non-intercourse act) as having produced a state of equality, in the relations of the two belligerent powers, with respect to the United States, I have to submit conformably to instructions, for the consideration of the American government, such terms of satisfaction and reparation, as his majesty is induced to believe, will be accepted, in the same spirit of conciliation, with which they are proposed.

"In addition to the prompt disavowal made by his majesty, on being apprized of the unauthorized act, committed by his naval officer, whose recall, as a mark of the king's displeasure, from an highly important and honourable command, immediately issued, his majesty is willing to restore the men forcibly taken out of the Chesapeake, and, if acceptable to the American government, to make a suitable provision for the unfortunate sufferers on that occasion.

"I have the honour to be, with sentiments of the highest respect and consideration, sir, your most obedient humble servant,

"D. M. ERSKINE."

"The hon. Robert Smith, Esq.
secretary of state, &c."

(No. II.)

Department of State, April 17, 1869.

SIR,

"I have laid before the president your note in which you have, in the name and by the order of his Britannic majesty declared that his Britannic majesty is desirous of making an honourable reparation for the aggression committed by a British naval officer in the attack on the United States' frigate the Chesapeake; that, in addition to his prompt disavowal of the act, his majesty, as a mark of his displeasure, did immediately recall the offending officer from a highly important and honourable command; and that he is willing to restore the men forcibly taken out of the Chesapeake, and if acceptable to the American government, to make a suitable provision for the unfortunate sufferers on that occasion.

"The government of the United States having, at all times, entertained a sincere desire for an adjustment of the differences, which have so long and so unhappily subsisted between the two countries, the president cannot but receive with pleasure, assurances, that his Britannic majesty is animated by the same disposition; and that he is ready, in conformity to this disposition, to make atonement for the insult and aggression committed by one of his naval officers in the attack on the United States' frigate, the Chesapeake.

"As it appears at the same time, that, in making this offer, his Britannic majesty derives a motive from the equality, now existing in the relations of the United States, with the two belligerent powers, the president owes it to the occasion, and to himself, to let it be understood, that this equality is a result incident to a state of things, growing out of distinct considerations.

"With this explanation, as requisite as it is frank, I am authorized to inform you, that the president accepts of the note delivered by you, in the name and by the order of his Britannic majesty, and will consider the same, with the engagement contained therein, when fulfilled, as a satisfaction for the insult and injury of which he has complained. But I have it in express charge from the president, to state that while he forbears to insist on a further punishment of the offending officer, he is not the less sensible of the justice and utility of

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such an example, nor the less persuaded that it would best comport with what is due from his Britannic majesty to his own honour.

"I have the honour to be, with the highest respect and consideration, sir, your most obedient servant,

R. SMITH.

"The hon. David M. Erskine, Esq. envoy extraordinary and minister plenipotentiary of his Britannic majesty."

(No. III.)

MR. ERSKINE TO MR. SMITH.

Washington, April 18, 1809.

SIR,

"I have the honor of informing you, that his majesty, having been persuaded that the honourable reparation which he had caused to be tendered for the unauthorized attack upon the American frigate Chesapeake, would be accepted by the government of the United States in the same spirit of conciliation, with which it was proposed, has instructed me to express his satisfaction, should such a happy termination of that affair take place—not only as having removed a painful cause of difference, but as affording a fair prospect of a complete and cordial understanding being re-established between the two countries.

"The favourable change in the relations of his majesty with the United States, which has been produced by the act (usually termed the non-intercourse act) passed in the last session of congress, was also anticipated by his majesty; and has encouraged a further hope, that the re-consideration of the existing differences might lead to their satisfactory adjustment.

"On these grounds and expectations, I am instructed to communicate to the American government, his majesty's determination of sending to the United States an envoy extraordinary, invested with full powers to conclude a treaty on all the points of the relations between the two countries.

"In the mean time, with a view to contribute to the attainment of so desirable an object; his majesty would be willing to withdraw his orders in council of January and November, 1807, so far as respects the United States, in the persuasion that the president of the United States would issue a proclamation for the renewal of the intercourse with Great Britain; and that whatever difference of opinion should arise in the interpretation of the terms of such an agreement will be removed in the proposed negotiation.

"I have the honour to be, with sentiments of the highest consideration and esteem, sir, your most obedient humble servant,

D. M. ERSKINE

Honourable Robert Smith, &c. &c. &c.

(No. IV.)

MR. SMITH TO MR. ERSKINE.

Department of State, April 19, 1869.

SIR,

"The note which I had the honour of receiving from you this day, I lost no time in laying before the president, who, being sincerely desirous of a satisfactory adjustment of the differences unhappily existing between Great Britain and the United States, has authorized me to assure you, that he will meet, with a disposition corresponding with that of his Britannic majesty, the determination of his majesty to send to the United States a special envoy, invested with full powers to conclude a treaty on all the points of the relations between the two countries.

"I am further authorized to assure you that in case his Britannic majesty should, in the mean time, withdraw his orders in council of January and November, 1867 so far as respects the United States, the president will not fail to issue a proclamation by virtue of the authority and for the purposes specified in the eleventh section of the statute, commonly called the non-intercourse act."

I have the honour, &c. &c.

R. SMITH.

(No. V)

MR. ERSKINE TO MR. SMITH.

Washington, April 19, 1869.

SIR,

"In consequence of the acceptance, by the president, as stated in your letter dated the 18th inst. of the proposals made by me on the part of his majesty, in my letter of the same day, for the renewal of the intercourse between the respective countries, I am authorized to declare, that his majesty's orders in council of January and November, 1867, will have been withdrawn as respects the United States, on the 10th day of June next."

I have the honour to be,

With great respect and consideration,

Sir, your most obedient servant,

D. M. ERSKINE.

Honourable Robert Smith, &c. &c. &c.

(No. VI.)

MR. SMITH TO MR. ERSKINE.

Department of State, April 19, 1869

SIR,

"Having laid before the president your note of this day, containing an assurance, that his Britannic majesty will, on the tenth day

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of June next, have withdrawn his orders in council of January and November, 1807, so far as respects the United States, I have the honour of informing you, that the president will accordingly, and in pursuance of the eleventh section of the statute, commonly called the non-intercourse act, issue a proclamation, so that the trade of the United States with Great Britain may on the same day be renewed, in the manner provided in the said section."

I have the honour, &c. &c.

R. SMITH.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

"Whereas it is provided by the eleventh section of the act of Congress, entitled, 'An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies; and for other purposes,'—that 'in case either France or Great Britain shall so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States,' the president is authorized to declare the same by proclamation, after which the trade suspended by the said act, and by an act laying an embargo on all ships and vessels in the ports and harbours of the United States, and the several acts supplementary thereto, may be renewed with the action so doing. And whereas the honourable David Mervin Erskine, his Britannic majesty's envoy extraordinary and minister plenipotentiary, has, by the order and in the name of his sovereign, declared to this government, that the British orders in council of January and November 1807, will have been withdrawn as respects the United States, on the tenth day of June next. Now, therefore, I JAMES MADISON, president of the United States, do hereby proclaim, that the orders in council aforesaid will have been withdrawn on the said tenth day of June next; after which day the trade of the United States with Great Britain, suspended by the act of congress above mentioned, and harbours of ing an embargo on all ships and vessels in the ports and harbours of the United States, and the several acts supplementary thereto, may be renewed.

"Given under my hand and the seal of the United States, at Washington, the fifteenth day of April, in the year of our Lord, one thousand eight hundred and nine, and of the Independence of the United States, the thirty-third."

JAMES MADISON.

By the President.

RT. SMITH, secretary of state.

Never was a measure more loudly or unanimously applauded. Parties agreed in their encomiums on the act and the actors, who never before accorded on any

subject. The federalists cannot have forgotten—it they have, history will not forget—that they repeatedly asserted in the most confident terms, that England had been at all times ready to do us justice;—that it had been in the power of Mr. Jefferson, at any period of his administration, to have procured equally fair and honourable terms; and that nothing but his profligate devotion to France, and his deadly hostility to England, had prevented an equitable adjustment of all our differences. Mr. Madison was hailed as a truly American president. He was invited to federal entertainments—claimed as a federalist and a Washingtonian—and halcyon days of peace and plenty were augured under his administration, which was indubitably to usher in a political millenium. This farce was carried on so far by the federalists that the democrats began to grow jealous. They were afraid of losing the president, whose election they had taken such pains to secure.

In an evil hour for the United States, this honourable arrangement was rejected by great Britain—and thus the two countries were once more involved in the most vexatious disputes.

I beg leave to observe, that so far as respects the administration of Mr. Madison, this affair affords the most indubitable evidence of the falsehood of the welkin of French influence, with which the wide world is so firmly believed, and which has been, and is, asizens, as any portion of hundreds of thousands of our citizens, the slightest particle of that influence in our cabinet, it could not have failed to prevent such a rapid movement as healing the long-existing and cankered breaches between the two countries in three days.

Never in the annals of mankind, did a rooted, inveterate prejudice exist, so completely, so unanswerably borne down by a strong and irrefutable fact, as in this case is the accusation of French influence; and

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yet no more attention has been paid to the fact, than if it had not the slightest bearing whatever on the subject. Through the whole of Mr. Madison's administration, this senseless cry of French influence has disturbed the harmony of the country—endangered its peace—and produced the most magical effects, on “the most enlightened nation in the world.”

In every age, and every nation, there is some slang prevalent by which the people are befuddled, bereft of their reason, and led “to play such pranks before high heaven, as make e'en angels weep.” Who is ignorant of the magical effects in Great Britain of the cry, “the church is in danger,” whereby the severities and restrictions under which the protestant dissenters groaned for about one hundred and fifty years, were firmly rivetted on them. The cry of “*French influence*” in the United States has been so often reiterated, and so far believed, that it appears to thousands of our citizens both impertinent and absurd to doubt its existence. But there never has been the shadow of proof of its existence alleged. And I feel perfectly confident, that there are thousands of Englishmen in various parts of the United States, particularly in our sea-ports, any one of whom takes a more active part in our politics, and has more influence on our affairs, than any twenty Frenchmen.—Talleyrand's observation on this subject is perfectly just. “In every part of America through which I have travelled, I have not found a single Englishman, who did not feel himself to be an American; nor a single Frenchman who did not find himself a stranger.”*

There are Frenchmen in New-York, Philadelphia, and Baltimore, who have been naturalized ten, twenty, and even thirty years, and who do not interfere so much in our politics as English, Scotch, and Irishmen frequently do within the first month of their arrival. I have never, in thirty years, known three

* Memoir on the Commercial Relations of the United States with England, page 18.

Frenchmen in Philadelphia who took an active part in our politics. Many of them rarely exercise the elective franchise.

This is a digression. Let us return to the Eschine arrangement.

The conduct of the federalists respecting this celebrated instrument, was to the last degree inconsistent.—

They were, after it was agreed upon, as I have stated, unanimous and loud in their tribute of applause of England, for her magnanimity in offering, and of Mr. Madison, for his patriotism and public spirit in accepting the terms proposed by Mr. Eschine. The force of the language was exhausted, in panegyrical strains. And all the praises of Mr. Madison were accompanied by direct or insinuated abuse of his predecessor.—The two presidents appeared like the two ends of a scale beam—in proportion as one rose, the other sunk. Mr. Madison was raised among the celestials—Mr. Jefferson sunk among the infernals. There was not a man of the party from New-Hampshire to Georgia that did not assert, that had Mr. Jefferson thought proper, he might have made an arrangement on as favourable terms at any time during his administration—for England had been at all times equally disposed to do us justice.

But when England rejected this arrangement—when she gave the lie direct to all their asseverations of her willingness to adjust the differences between the two countries, on those fair and honourable principles—they still defended her—and assailed, and abused, and vilified, and degraded their own government. And Mr. Madison who had been placed among the stars of heaven, sunk down at once below the horizon into pitchy darkness, with his predecessor. And for what? Had he committed any crime to warrant this change of opinion? No. Had he altered the system of conduct which had been so highly extolled? No. Had he broken his faith with England? No. His only crime was that *England broke the faith her minister*

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had so solemnly pledged to him and his country!!!!
 Alas! alas! poor human nature!

To establish fully what I have asserted, I annex extracts from the federal papers and speeches, published before and after the fatal rejection of this arrangement.

"We owe it to Mr. Madison and his cabinet to say, and we do it with pride and pleasure, that they have come forward with a degree of promptitude and manliness which reflects much honor on them and the country. Mr. Madison has now done what Mr. Jefferson was requested by the British government to do in the note appended to the treaty returned by him. Mr. Madison is now effectually resisting the French decrees, by a total non-intercourse with that country: and this country will thank him for it to the latest generation." *United States' Gazette*, April 24, 1809.

"The candour, liberality and sincerity displayed in those documents, are alike honourable to the two governments." *Poulson's Daily Advertiser*, April 22, 1809.

"That Mr. Madison does not wish to embroil us with England, we are now thoroughly convinced: and while he continues to pursue an honest and impartial policy, where he makes one enemy, he will gain a dozen friends." *Baltimore Federal Republican*, as quoted by the *Philadelphia Gazette*, June 22, 1809.

"Scarcely was Mr. Madison seated in the chair of state, when, contrary to all our expectations, but agreeably to all our wishes, he gave the lie to all his electioneering advocates, abandoned practically and in the face of the world the policy and course of the sage, and concluded with Mr. Erskine an agreement, which knocking the ignominious handcuffs from our hands, unmoving our ships, rejoicing our hearts and elevating our hopes, drew from the union (the jacobins excepted) an unfeigned burst of heart-cheering applause. Never did a statesman act more popular or more conducive to the true and permanent interest of his country." *Philadelphia Gazette*, June 23, 1809.

"The public documents which we this day have the satisfaction of laying before our readers are of a highly pleasing and interesting character. The note of Mr. Erskine furnishes satisfactory evidence of a real disposition on the part of his government to adjust, on permanent principles, the long subsisting differences with this country: and Mr. Smith's answer to that note evinces a candour and promptitude equally honorable to the views and wishes of the American administration. While both parties are governed by this spirit of confidence in the assurances of each other, we can foresee no possible circumstance to impede their arriving at a full, liberal, and advantageous accommodation." *Philadelphia Gazette*, June 19, 1809.

"We sincerely trust that an enlightened administration will continue by its measures of prudence, economy, and wisdom, to increase the mortification and rage of men, aliens to the true interests and honour of our country. *Ibid.*

On the second of May, 1809, Mr. Randolph moved in the house of representatives of the United States, the following resolution—

“Resolved, that the promptitude and frankness with which the President of the United States has met the overtures of the government of Great Britain towards a restoration of harmony and free commercial intercourse between the two nations, meet the approbation of this house”

This occasioned a long debate, in which the federalists were universally in favor of the motion. Mr. Barent Gardnier was among the most ardent eulogists of Mr. Madison. There appeared to be no bounds to his applause.

“This tree from which we expected to gather only the fruit of bitterness and sorrow, is already yielding us fruit far different—gladness and unspeakable joy. To speak in the language of the resolution, ‘the promptitude and frankness with which the president has met the overtures of Great Britain,’ while they receive the applause and the gratitude of the nation, call not less imperiously for an unequivocal expression of them by this house

“I must say that I do like the words ‘promptitude and frankness.’ The compliment they convey is highly merited, as I shall endeavour to prove.

“For bringing about this state of things, I yield my hearty approbation to the president of the United States; and I believe that when none of us could see the end of our troubles, the president was secretly conducting us to the late happy results

“But at last *that state of things, originally proposed by Great Britain*, has been brought about, both as it regards the equality contended for, and as regards the assurance of resistance desired.—The proclamation being removed, a fair adjustment could meet with no impediment from that cause. *And it is a melancholy fact in this respect there never would have been an impediment, if THIS government had been willing to do originally what it has at last consented to do*

“It is for the *promptitude and frankness* with which the president met this overture, that I thank him most cordially in behalf of my country. I approve it most heartily.

“And it is now in proof before us, as I have always said and contended, that **NOTHING** was wanting but a proper spirit of conciliation—*nothing but fair and honourable dealing on the part of THIS country, to bring to a happy issue all the fictitious differences between this country and Great Britain; and that is now acknowledged to be true, for saying which, I have been so much censured—censured, because it suited the purposes of some people, to attribute to me a confidence in the justice of the British government, which did not become an American citizen.*

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"The president very properly relying on the assurances of the British minister, that the edicts of Great Britain *would have been withdrawn on or before the 10th of June then next, authorised a renewal of intercourse after that day.*"

The governor of Massachusetts in his speech to the legislature unites his praises with those of Mr. Gardener—

"We have great reason to indulge the hope of realizing those views [arising from a revival of commerce] from the prompt and amicable disposition, with which it is understood the *present federal administration met the conciliatory overtures of Great Britain—a disposition which is entitled to, and will certainly receive the hearty approbation of every one who sincerely loves the peace and prosperity of the nation.*"

The senate and house of representatives re-echo the encomiastic strain :

"The present administration of the general government has had the wisdom to discern, and patriotism to commence a course of policy respecting our commerce and foreign relations, which is calculated to promote the prosperity, and to secure the peace and independence of our country."

"The prompt acceptance by the federal administration of the conciliatory overtures of Great Britain, which opened the door for the removal of those grievous embarrassments by which the industry and enterprize of our citizens have so long been paralyzed, meets the approbation and will ensure the support of this commonwealth."

Messrs. Wagner and Hanson chimed in with the general strain of approbation, which was carried to the utmost extent, in order, by the contrast, to blacken the character of the former administration.

"Peace with England—The war party and French partizans are thrown into complete confusion. The perseverance of the Eastern States, aided by the returning sense of a formidable body of the people of the Southward, have **DRIVEN ADMINISTRATION FROM ITS GROUND.** Since Mr Jefferson has retired in disgrace into private life, his successor has been compelled to abandon the ruinous policy under which the country has so long suffered. With the magnanimity and frankness characteristic of a great and enlightened nation, England made a second attempt to renew the terms of amity and peace between the two nations. The particulars of the correspondence between Mr. Erskine and the secretary of state are given in this day's paper."

It proves what we have so often repeated, and which has ever been stubbornly denied by the democrats, that *Great Britain was always influenced by a sincere desire to accommodate her unfortunate differences with America*. The preservation of the country has grown out of the efforts of the minority in congress.*

"Sophistry is busily at work in the democratic papers to shew that the accommodation with England is the result of democratic plans—that is to say, of the embargo and non-intercourse law. If this could be made to appear, it would so far absolve their authors from the ruin and sufferings imposed by those laws, as to prove that they had some effect. But the common sense of the people is proof against the delusion, who are persuaded that what was so easily effected [Mr Eiskine's arrangement] in April last, might have been done long before, and the nation been thereby saved from the humiliation of retiring from the exercise of its rights upon the ocean, as well as the immense loss it has suffered, and continues to sustain in the decay and depreciation of its produce. Every reflecting mind feels this at once—nor does it require any circuitous argument to be convinced, that a persevering and ardent opposition to these democratic juggles, and not a voluntary abandonment of them, broke the embargo, and placed France and Great Britain upon that equal footing, which the **LATTER UNIFORMLY DECLARED WOULD INDUCE HER TO COMPROMISE.**"

"Sincere and general as has been the joy spread by the return of a good understanding with England, will be the indignation, which at no distant day, a calm review of the snares which have been laid to entrap our peace, and extinguish our prosperity, will unavoidably inspire. The current of the disapprobation of this conspiracy is not at a stand—it has much greater progress to make—nor will it stop until it places an insuperable bar against even the aspiring party which, till lately, has lorded it without opposition over the state of Maryland."†

I shall add to these extracts the sentiments of Mr. Coleman, editor of the New-York Evening Post, which are as strong and decisive as any of the others.

"Look at the files of this paper for a twelvemonth; you will find it insisted upon that Great Britain wished for an adjustment of differences, and would come to an accommodation the moment we gave her a chance to do so, by placing her on an equal footing with France—Mr. Erskine very promptly begins, by stating on our government's placing England on a footing with France, England will make reparation—JUST PRECISELY WHAT I HAVE SAID A HUNDRED TIMES OVER IN THIS PAPER, SHE WOULD VERY GLADLY DO.

"The first part of the second resolution accompanying the report of the committee of foreign relations [Campbell's report] contemplated an arrangement by which the respective belligerents would

* Federal Republican, April 21, 1809.

† Idem, July 4, 1809.

be placed in a state of equality as to the exclusion of their ships of war from our harbours. This report was sent to England, and immediately the British minister DIRECTED Mr. Erskine to make the propositions which have lately been acceded to and published, provided any measure was adopted which would place Great Britain in a state of equality with her enemies, as to the admission or exclusion of her ships of war from our harbours. THE NON INTERCOURSE ACT WAS OF THIS NATURE. Mr. Erskine stated the intentions of his government, and an agreement has been made."*

"Well may the merchants of Alexandria rejoice at Mr. Madison's return to the good old principles of FEDERALISM. Let the crazy professors of Jeffersonianism give themselves up to weeping and wailing, and all the afflicting stings of jealousy and mortification; the federalists WILL pay homage to Mr. Madison, while he continues to pursue the course he has taken."†

Relying on the good faith of Great Britain, our government immediately removed all the restrictions on her commerce, restored the intercourse between the two nations to the state in which it had been previous to the misunderstanding, and expected to be met on the same fair and honourable ground by the other contracting party. But fatally other counsels prevailed at St. James's. The solemn contract made by its minister plenipotentiary was rejected on the ground of his having "exceeded his instructions."

Had Mr. Erskine made a wanton sacrifice of the honour and interests of his country—the rejection of the arrangement might be palliated, perhaps justified. But no man who has any regard to his character, will pretend this to have been the case. Both were equally secured. And to prevent any difficulty in the adjustment of the dispute, to evince more fully Mr. Madison's sincere wish for harmony, the thorny and difficult subject of impressment was laid aside for future negotiation.

"But Mr. Erskine exceeded his instructions." What, in the name of heaven, I ask, must have been the instructions that did not warrant an envoy extraordinary to propose or ratify such an arrangement; so plain, so simple, so fair, and so honourable?

* New-York Evening Post, April 26, 1809. † Federal Republican.

But admitting for a moment, that Mr. Erskine exceeded his instructions—or let us go so far as to suppose that he had made this arrangement of his own mere motion, without any instructions whatever—what reasonable objection could be made to it? Could the most partial friend of England, if actuated by honourable views, require better terms?

Let us analyze the arrangement—let us state the *quid pro quo*—

To America it afforded

1. A repeal of the orders in council—
2. Atonement for the outrage on the Chesapeake.

To England

1. A restoration to all the immense advantages of the most valuable commerce in the world—
2. A continuation of the suspension of intercourse between the United States and France.

I freely appeal at this moment to Timothy Pickering, Alexander Contee Hanson, or to Harrison Gray Otis, to decide whether there was any thing in these terms that could warrant the government of a mighty nation to break the faith pledged by its minister—and to attach disgrace and dishonour to that minister in the eyes of the world? Neither of these gentlemen will dare to aver that there was.

The reader who has perused with attention the Erskine arrangement, and considered the advantageous terms it insured to England, will be struck with surprise—and he will naturally ask, by what ill-starred counsels were the British ministry influenced to reject this measure? This is a question not easily answered. I shall attempt a solution.

A recurrence to the 17th chapter of this work, will shew the tumultuous and jacobinical proceedings that took place in Massachusetts in the early part of the year 1809. Open resistance to the embargo was advocated in the papers—preached from the pulpit—obscure-

ly menaced in the legislative body—and publicly proclaimed in inflammatory resolutions of town meetings.

Intelligence of these disgraceful, these jacobinical proceedings reached England contemporaneously with the account of Mr. Erskine's arrangement. I think it highly probable that the British ministry flattered themselves into the opinion that our government would be obliged to abandon the restrictive system altogether—and that they would then be able to enforce the orders in council, without losing the advantages of our trade; and that this consideration induced them to reject the arrangement.

This I offer merely as a conjecture. That it is plausible, cannot be denied. But in our times there will probably be no opportunity of ascertaining how far it is correct.

Another reason has been assigned. It is said that George III. was irritated at the implied censure of his government respecting the conduct of Admiral Berkeley, which, it is asserted, so far wounded his feelings as to induce him to reject the arrangement. Many of our citizens have defended the rejection on this ground. Let us calmly and boldly investigate the affair.

The United States are in a state of profound peace. One of their national vessels leaves port. She expects no attack. She is unprepared for resistance. She is followed by a vessel of superior force, belonging to a friendly power. This vessel has just enjoyed the hospitalities of our ports. She overtakes our frigate. She imperiously demands four seamen, said to be British.—British or Americans, they had entered voluntarily. And let it be borne in remembrance, the demand is made by a nation which holds in bondage, thousands of our citizens, who, in the pursuit of their lawful vocation, have been seized by force and violence, and often with bloodshed and desperate wounds. And further let it be also borne in remembrance, the demand is made by a nation which HAS PROCLAIMED, AS AN IRREVOCABLE LAW TO ALL THE WORLD, that *she will hold at*

every hazard, those seamen, natives of whatsoever country they may be, who enter her service voluntarily.* The demand is repelled. Our vessel is attacked. Our unresisting citizens are cruelly murdered!!! The decks of our vessel flow with blood!! She is taken. The crew is overhauled. Four of them are outrageously seized and made prisoners. One is ignominiously hanged!! The other three, fully proved to be Americans, are held in bondage.-----I can go no further-----My pen refuses its office-----Does not this blood cry to heaven for vengeance on the murderer? Can the foul stain be effaced but with blood? "Who so sheddeth man's blood, by man shall his blood be shed."

But, reader, I was wrong. My feelings led me astray. The atonement was worthy of the justice of the monarch whose subjects perpetrated----worthy of the nation which suffered----the horrible outrage. For *Admiral Berkley* "was recalled from a highly important and honourable command, as a mark of the king's displeasure!!"† But let it be added, he was taken away to be placed on a better station.---He was removed from Halifax to be stationed at Lisbon.‡---And this was the only mark of displeasure he ever experienced. In 1810, he was promoted from the rank of vice-admiral to that of admiral. He is now lord high admiral of Portugal.

To be serious. Every man of a correct mind and sound principles felt that his Britannic majesty owed it to himself to have displayed his disapprobation of the foul deed in some other and more decisive mode. The offender ought to have been punished. And therefore it is impossible not to approve the dignified but mild style in which the president treats the transaction :---

* This reason has been repeatedly assigned, to justify a refusal of the surrender of natives of America, held in bondage on board British vessels of war, when claimed by the proper agents of our government.

† See Mr. Erskine's Letter, No. 1.

‡ The outrage was committed in June. He did not leave Halifax till December.

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"I am authorized to inform you, that the president accepts of the note delivered by you, in the name and by the order of his Britannic majesty, and will consider the same, with the engagement contained therein, when fulfilled, *as a satisfaction for the insult and injury of which he has complained.* But I have it in express charge from the president to state, that while he forbears to insist on a further punishment of the offending officer, *he is not the less sensible of the justice and utility of such an example nor the less persuaded that it would best comport with what is due from his Britannic majesty to his own honour.*"

To enable us to form a correct idea of this transaction, let us suppose that commodore Baron had anchored in Portsmouth or Plymouth—that twenty of his sailors had voluntarily entered on board a British frigate—that he had demanded them—that he had followed the vessel to sea—had attacked her—had killed part of her crew—had taken away as many as he judged proper—and, finally, to cap the climax, that he had hanged one of them. What would be the result? Vengeance, vengeance would have been the cry from the Orkneys to the land's end—and nothing would appease the insulted dignity of England but Copenhagenizing New-York, or Baltimore, or Philadelphia, or Charleston.

"My dear sir, one of my oxen has gored one of your cows." "Well, to be sure, you will make reparation—you will send me a cow in the place of the one I have lost. To that you cannot make any objection." "It is all very right. But hold, I mistook. It is all the other way. *It was your ox that gored my cow.*" "So, so, we'll see about it. Call some other time." "My good sir—this is not very correct. *The business would have been soon settled, had you been as willing to do justice to others as to receive it from them.*"

Since the above was written, I have consulted Mr. Canning's despatches to Mr. Erskine, by which it ap-

pears that the British government calculated on Mr. Erskine's adjusting the differences between the two nations on the following basis.

Extract of a Letter from Mr. Canning, Secretary, to the hon. David M. Erskine, dated Foreign Office, January 23, 1809.

"1. That the American government is prepared, in the event of his majesty's consenting to withdraw the orders in council of January and November, 1807, to withdraw contemporaneously on its part the interdiction of its harbors to ships of war, and all non-intercourse and non-importation acts so far as respects Great Britain; leaving them in force with respect to France, and the powers which adopt or act under her decrees.

"2 (What is of the utmost importance, as precluding a new source of misunderstanding, which might arise after the adjustment of the other questions.) *That America is willing to renounce, during the present war, the pretension of carrying on, in time of war, all trade with the enemy's colonies, from which she was excluded during peace!*

"3. Great Britain, for the purpose of securing the operation of the embargo, and of the *bona fide* intention of America to prevent her citizens from trading with France, and the powers adopting and acting under the French decrees, *is to be considered as being at liberty to capture all such American vessels as may be found attempting to trade with the ports of any of these powers; without which security for the observance of the embargo, the raising of it nominally with respect to Great Britain alone, would, in fact, raise it with respect to all the world.*

"*On these conditions his majesty would consent to withdraw the orders in council of January and November, 1807, so far as respects America.*"

Let us examine this most precious document with all the attention its importance demands. Let us weigh its every line and every word. Let us see what justice, what fair dealing it meted out to this injured, this insulted, this plundered nation. Let us see how far the advocates of English liberality and English justice are borne out in their commendations of England, and their intemperate abuse of their own government.

The orders in council, existing at the date of the Erskine arrangement, blockaded France, Holland, and a part of Italy, containing a population of about fifty millions of people.

By Mr. Canning's instructions to Mr. Erskine, these orders were to be rescinded on three conditions—

1. Taking off all our restrictions from the English commerce.

2. "Renouncing" during the existing war, "*all trade with the enemies' colonies from which we were excluded in time of peace:*" in other words, assenting by treaty to the unjust and exploded rule of 1756.

3. Allowing the British to capture our vessels bound to France and her dependencies, WHICH, reader, IS NEITHER MORE NOR LESS, THAN WEAVING THE ORDERS IN COUNCIL INTO A TREATY---giving our own solemn sanction to the extravagant pretensions of Great Britain to limit our trade, which pretensions we had steadily resisted.

Stupendous injustice! --Never before were such revolting propositions made to any nation not subdued. What! Make a treaty by which we let loose the whole host of the thousand ships of war and the hundreds of privateers of the greatest naval power in the world, upon our defenceless commerce! The mind is lost in astonishment at such an unparalleled requisition.

But gross, and insulting, and outrageous as was this proposition---destructive as its acceptance would be to the vital interests of the country---there was no federal printer from New-Hampshire to Georgia, that expressed a single word of censure of the conduct of England for her daring and insulting demands, or for her breach of the contract. No. England was uniformly right---their own government as uniformly wrong. It seemed impossible for England to commit any act, or make any demand that would not be justified---

Let me establish these allegations---

"It having been shewn, that the plea of ignorance is inadmissible in the case of the Erskine arrangement; that it was the secretary's duty to know the power of the minister before he proceeded to act upon it; that to act upon an unknown power, is to act without power: it follows that our administration, if they understood their business, must have been aware that *they were negotiating with an unauthorized individual*---unauthorized *quod hoc*, as to this particular subject---with one

who had shewn no authority for the purpose. Consequently they had no reason to rely on, nor to expect a fulfilment of the compact by the British government. knowing as they did, that it had been agreed upon without any adequate information of the terms having been authorized by that government." United States Gazette, December 11, 1809.

Now, my dear reader, whoever you be, that have come thus far with me, let me solemnly invoke you in the name of the God of peace, to make a pause here. As you value your beloved country---as you prize its honour---its happiness---your own welfare---the happiness, the welfare of your posterity---review this whole subject. I must once more bring it before your eyes.

An envoy extraordinary and minister plenipotentiary informs the government by which he is accredited, that he has orders to propose an arrangement of two or three leading points of difference between the two countries, preparatory to a treaty. His overtures are accepted. An arrangement is made, which is highly advantageous to both nations, but more particularly to that of the envoy. There is not the slightest sacrifice of its honour or interest. After this arrangement is made, we are assured ten thousand times that England had been always ready to arrange our differences on these very terms. The United States Gazette expressly states that "she had requested Mr. Jefferson to do the same thing."---And yet, when the arrangement is rejected, the same United States Gazette asserts that this envoy extraordinary had no powers to make the convention---defends England for the breach of her engagement---and as I have already stated, transfers the odium to its own government. No powers of language are adequate to express my astonishment.

"No expression has escaped any member of the British cabinet, either in parliament or elsewhere, making indecorous insinuations against the United States, or manifesting a temper unfriendly to conciliation. On the contrary they have declared a *wish to renew amicable negotiation*; have named a minister for that purpose; and with at least

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apparent sincerity have expressed their fears that this unfortunate error of Mr. Erskine may increase the difficulties of a friendly arrangement between the countries" *Idem*, Oct. 5, 1809.

"What was but a few days ago a doubtful point, is now settled by the publication of Mr. Erskine's instructions. Sufficient information has been received to convince all candid persons, that the rancour with which the English cabinet has been pursued, and the violent abuse with which it has been assailed, was *undeserved*. We do not entertain a doubt when all the circumstances shall have been disclosed, that *it will appear that secretary Smith actually saw Erskine's instructions, and that the arrangement was made merely as an experiment*. We feel confident that the thing will be put upon this footing. If then the United States will be ultimately injured by the act, *they will judge where the blame lies*." *Federal Republican*, July 27, 1809.

"The people have been flagrantly deceived, and grossly abused.—The matter rests between Mr. Erskine and our administration.—Wherever the blame shall attach, it is for the people to apply or originate the remedy" *Idem*, July 31

"In short, Mr. Erskine surrendered every thing, and got nothing in return ! ! !" *Ibid.*

"For our part, we have had but one opinion from the commencement of this mysterious affair—and we have made bold to express it. It is that Mr. Erskine acted *contra y* to his instructions—and that the secretary Smith knew what these instructions were" *Ibid.*

Before I offer any comment on the four last articles, I wish to state to the reader that I have extracted them from a pamphlet published by Mr. Niles, called "Things as they are"—that I have had no opportunity of collating them with the originals—but that I have written to Mr. Hanson, one of the Editors of the *Federal Republican*, to correct me if I had misquoted his paper. I have received no reply—and therefore it is to be presumed the quotations are correct.

Mr. Hanson states that "*Mr. Erskine surrendered every thing, and got nothing in return.*" What a stupendous disregard of fact is embraced in these few words ! It is impossible to exceed it. What did he surrender ? Merely the odious, the unjust orders in council ! And did he receive nothing in return ? Was the immense trade of the United States nothing ? Was it nothing to perpetuate the non-intercourse with France, till she rescinded her piratical decrees ? I aver in the

face of this nation, and defy Mr. Hanfon to controvert the fact, that England gained immensely—and that she surrendered nothing but what justice ought to have induced her to have surrendered long before, of her own accord.

"I entreat my fellow citizens to accompany me a little further in the examination of those invectives which the leaders of an immense party in this country incessantly utter against Great Britain for the purpose of exasperating us into war." U. Stat. Gaz. Oct. 18, 1809

"He [Mr. Erskine] also declares that the British government have undoubtedly a right to disavow the agreement; and *they have done every thing that became an honourable nation to prevent evil consequences arising to the citizens of this country from trusting to the terms of the agreement being fulfilled.*" U. S. Gaz. Oct. 5, 1809.

"It is a truth which the wisest and best patriots of America have long and seriously deplored, that *the past administration had furnished no symptom of impartiality between the two belligerents* previous to the act inhibiting the entrance of our ports to the armed vessels of the one as well as of the other. In that spirit which Mr. Smith still retains, and now labours to revive in the bosom of others, *hostility to England and tame subservency to France, are known to have been its characteristic features.* The facts are in the possession of every man; which prove that the feelings of the great body of the people, not their leaders, preserved us from a war in which a complete success would have riveted chains on ourselves." U. S. Gazette October 18, 1809

"It will be observed that this show of words, and these negative statements, after all, by the president, served only to make the public believe, that *he had no reason to apprehend a disavowal.* He is not hardly enough to say, that under the circumstances of the case, *the British government was bound to abide by Erskine's act; or that they conducted perfidiously in disavowing it.* Yet this aspersion, one of the most injurious and provoking that can be thrown upon a nation, has been uttered, and incessantly repeated, for several months, in every democratic paper in the union." Idem, December 20, 1809.

"Every one acknowledges, that had our executive concluded the arrangement of April last, with Mr. Erskine, knowing that he was unauthorized, the whole responsibility for the consequences, however serious, would have rested upon themselves. It has been maintained by the editor of this gazette, and is now demonstrated by the indubitable authorities, adduced by Mr. Dana, that *to have done so without knowing that he was authorized, was equally unwarrantable, and left the administration no ground on which to claim a ratification of the proceeding by the British government.* It is proved beyond a doubt, that the government might, with just as much propriety, have enjoyed with general Smith, or any other individual; concluded a convention; proceeded to carry it into execution on their part; and then raised a clamour

against the government of Great Britain and accused them of perfidy and breach of faith for not recognizing and fulfilling the stipulations." *Idem*, Dec. 28, 1809.

"If, as asserted by Mr. Erskine, his powers were communicated to our cabinet in substance—if the heads of departments did early communicate to the leading members of both branches of their own politics, *the incompetency of his powers, and the probability of the rejection of the agreement by Great Britain*—then that adjustment, so far from being a proof of a disposition to make peace and settle our differences, **IS THE STRONGEST EVIDENCE OF A HOSTILE TEMPER**: because Mr. Madison knew, that the revulsion and the disappointment occasioned by it among our citizens, would excite new clamours, and would break to pieces that formidable phalanx of men, who, during our embarrassments, had learned to speak and think more favourably, and of course more justly, of Great Britain." *Idem*, December 9, 1809.

"If such had been his aim (and perhaps a deeper politician does not exist) it has been completely attained. His own party are again roused to a war pitch. *Even some federalists are open in their censure of Great Britain for* **DOING HER DUTY TO HERSELF**, and exercising a right we have always claimed and received; and other federalists doubt, and are in favour of waiting to hear Mr. Erskine's explanations, and **STILL PROPOSE TO PLACE AN ILL DESERVED CONFIDENCE IN MR. MADISON.**" *Idem*.

On this last paragraph I shall make but one observation, to which I request attention. It is, that according to the United States Gazette, it was in December 31 "THE DUTY" OF ENGLAND "TO HERSELF," to reject an arrangement which the same Gazette in April stated, she had repeatedly in vain pressed on Mr. Jefferson!!!

I could fill a folio volume with these frothy, elaborate and anti American defences of the British, and inculpations of the United States government. But I feel satisfied that I have done enough; and that there is none but the wilfully blind can deny that no cause ever could boast of more ardent, more zealous, more industrious advocates than the cause of Great Britain has experienced in Boston, New-York and Philadelphia—and that there never was an administration pursued with more remorseless virulence and with less semblance of justice than Mr. Madison's has been.

CHAP. XX.

Impressment of American Seamen.

Plea of James Madison. Of John Quincy Adams. Of Wm. Cobbet. Of Weekly Register.

An idea is very prevalent that the impressment of our seamen by the British vessels of war is a grievance of little moment, to which the malice entertained by our administration against England, has attached an importance of which it is utterly undeserving. Hundreds of thousands of our citizens have been duped into the belief that this item of grievance was created under Mr. Jefferson, or at least incalculably exaggerated by him and his successor. Never was there a more egregious error. Never was fraud more successful in propagating—never was fatuitous credulity more deceived in believing, a tale as foreign from the truth as Erebus is from heaven.

Mr. Madison has been ten thousand times cursed for his folly and wickedness in involving the country in war for the purpose of securing a few seamen, who are said to be vagabond English, and Irish, and Scotchmen, the scum of the earth, from the claims of their lawful prince. It has been asserted that few or none of the citizens of this country are impressed—that when such an accident takes place, redress is easy to be had—and further, that England is, and has at all times been, ready to make any arrangement whereby our sailors may be guarded against impressment, provided she can be secured against the loss of hers.

From the commencement of the war of the French revolution to the late declaration of hostilities this was a constant, unceasing subject of reclamation and complaint to the British government, as well under the administration of General Washington, and Mr. Adams, as under that of Mr. Jefferson and Mr. Madison. And disgraceful and dishonourable would it have been to any

of the presidents, had they been deaf to the complaints, and callous to the sufferings, of the American slaves, stolen by violence and rapine from their families, and friends, and freedom, and beloved country, to fight the battles of their enslavers.

"The practice has no parallel, either for atrocity or extent, in any thing of modern times, but the business of negro stealing on the coasts of unfortunate Africa."*

I submit to the reader the following eloquent and unanswerable pleas against this nefarious practice. They so far transcend any thing I could myself write on the subject, that I shall deserve thanks for sparing my own, and substituting these lucubrations.

From the instructions of James Madison, Esqr. Secretary of State, to James Munroe, Esqr. Minister Plenipotentiary at the Court of London.

"Were it allowable that British subjects should be taken out of American vessels on the high seas, it might at least be required that ~~the~~ *the proof of their allegiance should lie on the British side.* This obvious and just rule is however reversed. And every seaman on board, though going from an American port, sailing under an American flag, and sometimes even speaking an idiom proving him not to be a British subject, is presumed to be such, ~~unless~~ *unless proven to be an American citizen.* It may be safely affirmed, that ~~this is an outrage which has no precedent,~~ and which Great Britain would be among the last nations in the world to suffer, if offered to her own subjects, and her own flag.

"Great Britain has the less to say on the subject as it is in ~~direct~~ *direct contradiction to the principles on which she proceeds in other cases.* Whilst she claims and seizes on the high seas, her own subjects voluntarily serving in American vessels, she has constant-

* Weekly Register.

ly given, when she could give as a reason for not discharging from her service American citizens, that they had voluntarily engaged in it. Nay more, ¶ whilst she impresses her own subjects from the American service, although they may have been settled, and married, and naturalized in the United States, she constantly refuses to release from hers, American seamen pressed into it whenever she can give for a reason, that they either settled or married within her dominions. Thus ¶ when the voluntary consent of the individual favours her pretensions, she pleads the validity of that consent. ¶ When the voluntary consent of the individual stands in the way of her pretensions, it goes for nothing. ¶ When marriage or residence can be pleaded in her favour, she avails herself of the plea. ¶ When marriage, residence, and naturalization are against her, no respect whatever is paid to either. ¶ She takes, by force, her own subjects voluntarily serving in our vessels. ¶ She keeps by force American citizens involuntarily serving in her's. More flagrant inconsistencies cannot be imagined."

From a Letter of John Quincy Adams. Esqr. to Harrison Gray Otis, Esqr.

"The impressed American citizens, however, upon duly authenticated proof are delivered up. Indeed! how unreasonable then were complaint! how effectual a remedy for the wrong! an American vessel, bound to a European port, has two, three, or four native Americans, impressed by a British man of war, bound to the East or West Indies. When the American captain arrives at his port of destination, he makes his protest, and sends it to the nearest American Minister or consul. When he returns home, he transmits the duplicate of his protest to the Secretary of State. In process of time, the names of the impressed men, and of the ship into which they have been impressed, are received by the agent in London. He makes his demand that the men may be delivered up—the lords of

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the admiralty, after a considerable time for enquiry and advisement, return for answer, that the ship is on a foreign station, and their lordships can therefore take no further steps in the matter—or, that the ship has been taken, and that the men have been received in exchange for French prisoners—or, that they had no protections (the impressing officers often having taken them from the men)—or, that the men were *probably* British subjects; or, that they had entered, and taken the bounty; (to which the officers know how to reduce them)—or, that they have been married, or settled in England. In all these cases, without further ceremony, their discharge is refused. Sometimes, their lordships, in a vein of humour, inform the agent that the man has been discharged as *unserviceable*. Sometimes, in a serner tone, they say he was an *impostor*. Or perhaps, by way of consolation to his relatives and friends, they report that he had fallen in battle, against nations in amity with his country. Sometimes they coolly return that there is *no such man on board the ship*: and what has become of him, the agonies of a wife and children in his native land may be left to conjecture. When all these and many other such apologies for refusal fail, the native American seaman is discharged—and when by the charitable aid of his government he has found his way home, he comes to be informed, that all is as it should be—that the number of his fellow-sufferers is *small*—that it was impossible to distinguish him from an Englishman—and that he was delivered up, *on duly authenticated proof*!

Extract from Cobbett's Register.

" Our ships of war, when they meet an American vessel at sea, board her, and take out of her by force, any seamen whom our officers assert to be British subjects. *There is no rule by which they are bound. They act at discretion*: and the consequence is, that *great numbers of native Americans have been thus*

impressed, and ~~for~~ great numbers of them are now in our navy. The total number so held at any one time cannot, perhaps, be ascertained; but from a statement published in America it appears that Mr. Lyman, the late consul here, stated the number, about two years ago, at FOURTEEN THOUSAND. ~~That~~ That many of these men have died on board of our ships---that many have been wounded---that many have been killed in action---and that many have been worn out in the service, there can be no doubt. Some obtain their release through the application of the American consul here: and of these the sufferings have in many instances been very great. There have been instances where men have thus got free ~~for~~ after having been flogged through the fleet for desertion.

"But it has been asked whether we are not to take our sailors where we find them? To which America answers yes, but take only your own; "take," said Mr. Lyman, "your whole pound of flesh, but take not a drop of blood." She says that she wilthes not to have in her ships any British sailors, and she is willing to give them up, whenever the fact of their being British sailors can be proved. Let them, she says, be brought before any magistrate, or any public civil authority, in any one of your own ports, at home or abroad; and she is willing to abide by the decision. ~~But~~ But, let not men be seized in her ships upon the high seas (and sometimes at the mouths of her own rivers) where there is nobody to judge between the parties, and ~~for~~ where the British officer going on board is at once ACCUSER, WITNESS, JUDGE, and CAPTOR."

From Niles's Weekly Register, vol. 3, page 303.

"If the most dignified officer in the naval service of our enemy were to plunder neutral vessels of a box of codfish, or a bale of cotton, on suspicion that it was even enemy's property, it might cost him his whole fortune, with an ignominious dismissal. The

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law of nations allows him to send in the vessel for adjudication, and it becomes him to prove the fact he suspected. If he fails in this, he is often mulcted in heavy damages by the courts of law of his own country. But in the business of *man-stealing*, he himself is judge and jury---he takes when and where he pleases, and is irresponsible for his conduct. If complaint is made, he silences it by the broad plea, "*that his majesty wanted men*"---and, if the man stolen is restored to liberty after years of dangers and servitude, without one cent for his hazards and toils, there are knaves who produce his case in evidence of "*British magnanimity!*"

After the reader has carefully perused the preceding arguments, I request he will read and compare the sentiments of Mr. Pickering on the subject of impressment at two different periods, the first when he was secretary of state, and the second when he was senator of the United States.

Oct. 26, 1796

"*The British naval officers often impress Swedes, Danes, and other foreigners from the vessels of the United States. They have even sometimes impressed Frenchmen!! If there should be time to make out the copy of a protest lately received it shall be enclosed, describing the impress of a Dane and a Portuguese.* This surely is an abuse easy to correct. They cannot pretend an inability to distinguish these foreigners from their own subjects. They may with as much reason rob American vessels of the property or merchandize of the Swedes, Danes, or Portuguese, as seize & detain in their service*

"It is perfectly well known that GREAT BRITAIN DESIRES TO OBTAIN ONLY HER OWN SUBJECTS.*

"The evil we complain of arises from the impossibility of always distinguishing the persons of two nations who a few years since were one people, who exhibit the same manners, speak the same language, and possess similar features†

"The British ships of war, agreeably to a right claimed and exercised for ages—a right claimed and exercised during the whole of the administrations of Washington, of Adams, and of Jefferson—continue to take some of the British seamen found on

* Letter from Timothy Pickering Esqr. secretary of state to Rufus King, Esqr. minister at the court of London.

* Letter from Timothy Pickering to the Hon. James Sullivan, governor of Massachusetts, page 9. Feb. 16, 1803. † Ibid.

the subjects of those nations found on board American vessels. The president is extremely anxious to have this business of impress placed on a reasonable footing."

board our merchant vessels, and with them a small number of ours, from THE IMPOSSIBILITY OF ALWAYS DISTINGUISHING ENGLISHMEN FROM CITIZENS OF THE UNITED STATES."‡

‡ Idem 13.

On these inconsistent papers I offer no comment. It would be an affront to the public. He that runs may read.

CHAP. XXI.

Impressment during the administration of General Washington. Letter from T. Jefferson to T. Pinkney. From Mr. Jay to Lord Grenville. From T. Pickering to Rufus King. From Rufus King to Lord Grenville.

Extract of a Letter from T. Jefferson, Esq. secretary of State, to Thomas Pinkney, minister plenipotentiary of the United States at London.

Department of State, June 11, 1792.

"The peculiar custom in England of impressing seamen on every appearance of war, will occasionally expose our seamen to peculiar oppressions and vexations. It will be expedient that you take proper opportunities, in the mean time, of conferring with the minister on this subject, in order to form some arrangement for the protection of our seamen on those occasions. We entirely reject the mode which was the subject of conversation between Mr. Morris and him which was, that our seamen should always carry about them certificates of their citizenship. This is a condition never yet submitted to by any nation; one with which seamen would never have the precaution to comply—the casualties of their calling would expose them to the constant destruction or loss of this paper evidence; and thus the British government would be armed with legal authority to impress the whole of our seamen. The simplest rule will be, that the vessel being American, shall be evidence that the seamen on board of her are such. If they apprehend that our vessels might thus become asylums for the fugitives of their own nation from impress gangs, the number of men to be protected by a vessel may be limited by her tonnage, and one or two officers only be permitted to enter the vessel in order to examine the number; but no press gang should be

allowed ever to go on board an American vessel, till after it shall be found that there are more than the stipulated number on board, nor till after the master shall have refused to deliver the supernumeraries (to be named by himself) to the press officer who has come on board for that purpose; and even then the American consul shall be called in. In order to urge a settlement of this point before a new occasion may arise, it may not be amiss to draw their attention to the peculiar institution erected on the last occasion, and the difficulty of avoiding our making immediate reprisals on their seamen here. You will be so good as to communicate to me what shall pass on this subject, and it may be made an article of convention to be entered into either there or here."

From the same to the same.

Oct. 12, 1792.

"I enclose you a copy of a letter from Messrs. Blox and Methad, merchants of Virginia, complaining of the taking away of their sailors, on the coast of Africa, by the commander of a British armed vessel. So many instances of this kind have happened, that it is quite necessary their government should explain themselves on the subject, and be led to disavow and punish such conduct. I leave to your discretion to endeavour to obtain this satisfaction by such friendly discussions as may be most likely to produce the desired effect, and secure to our commerce that protection against British violence, which it has never experienced from any other nation. No law forbids the seaman of any nation, to engage in time of peace, on board a foreign vessel: no law authorizes such seaman to break his contract, nor the armed vessels of his nation to interpose force for his rescue."

From the same to the same.

Nov. 6, 1792.

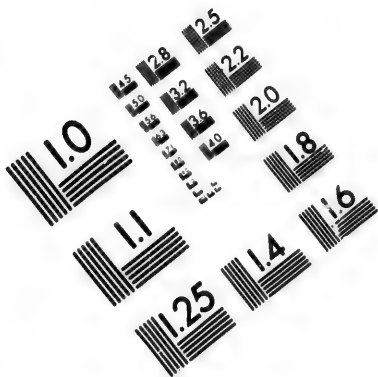
"I enclose you now the copy of a letter from Mr. Pinard, our consul at Madeira, exhibiting another attempt at the practice on which I wrote to you in my last, made by Capt. Hargood of the British frigate, *Hyacinth*, to take seamen from on board an American vessel bound to the East Indies. It is unnecessary to develope to you the inconveniences of this conduct, and the impossibility of letting it go on. I hope you will be able to make the British ministry sensible of the necessity of punishing the past and preventing the future.

Extract of a note from Mr. Jay, Envoy Extraordinary and minister Plenipotentiary of the United States at London, to lord Grenville, Secretary of Foreign Affairs, dated

London, July 30, 1793.

"The undersigned finds it also to be his duty to present, that the irregularities before mentioned extend not only to the capture and





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condemnation of American vessels and property, and to unusual personal severities, but *¶* even to the impressment of American citizens, to serve on board of armed vessels. *¶* He forbears to dwell on the injuries done to those unfortunate individuals, or on the emotions which they must naturally excite, either in the breasts of the nation to whom they belong, or of the just and humane of every country. His reliance on the justice and benevolence of his majesty leads him to indulge a pleasing expectation, that order will be given, that Americans so circumstanced be immediately liberated, and that persons honoured with his majesty's commissions do in future abstain from similar violences.

"It is with cordial satisfaction that the undersigned reflects on the impressions which such an equitable and conciliatory measure would make on the people of the United States, and how naturally they would inspire and cherish those sentiments and dispositions which never fail to preserve as well as to produce respect, esteem and friendship."

Extract from the instructions given by Timothy Pickering, esq. secretary of state, to Rufus King, esq. minister at the court of London.

June 8, 1796.

"*¶* The long but fruitless attempts that have been made to protect American seamen from British impresses, prove that the subject is in its nature difficult.

"The simplest rule would be, that the vessel being American, should be evidence that the seamen are such. But it will be an important point gained, if, on the high seas, our flag can protect those of whatever nation who sail under it. And for this, humanity, as well as interest, powerfully plead. *¶* Merchant vessels carry no more hands than their safety renders necessary. To withdraw any of them on the ocean, is to expose both lives and property to destruction. We have a right then to expect that the British government will make no difficulty in acceding to this very interesting provision. And the same motives should operate with nearly equal force to procure for us the like exception in all the British colonies, but especially in the West Indies. In the latter the consequence of an impress is *¶* the detention of the vessel. *¶* By the detention, the vessel is injured or destroyed by the worms, and *¶* the remnant of the crew exposed to the fatal diseases of the climate. Hence a longer detention ensues. The voyage becomes unprofitable to the merchant: and *¶* humanity deplors the loss of many valuable lives. But there is another cogent reason for an exemption from impresses in the British colonies—that *¶* the practice will be, as it has always been, subject to monstrous abuses: and the supreme power is so remote, that *¶* the evils become irremediable, before redress can even be sought for.

"To guard against abuses on the part of American citizens, every master of a vessel, on his arrival in any port of the British colonies, may be required to report his crew, at the proper office. If, after-

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wards any addition be made to them by *British subjects*, these may be taken away. In the ports of Great Britain and Ireland, the impress of *British subjects*, found on board of our vessels, must doubtless be admitted. But this should be controuled by regulations to prevent insults and injuries, and to administer prompt relief. Where American citizens (which will assuredly happen) shall be mistaken for British subjects.

"There are three classes of men, concerning whom there can be no difficulty. 1. Native American citizens. 2. American citizens, wherever born, who were such at the definitive treaty of peace. 3. Foreigners, other than British subjects, sailing in American vessels, and whose persons ought to be as sacred, as it respects the British, as those of native citizens. The 4th class consists of British born subjects, but who, or many of whom, may have become citizens subsequent to the treaty of peace, or who hereafter may be admitted to the rights of citizens. It is this class alone, about which any pretence of right to impress can be made. With regard to these, it may be attempted to protect them, as well in time of war as of peace, in the following cases: First, when they shall have served in American vessels, public or private, for the same term in which foreigners serving in British vessels would acquire the rights of British subjects, which is understood to be three years: or secondly, if so much cannot be obtained, when those persons, originally British subjects, shall have resided five years in the United States, and been formally admitted to the rights of citizens, according to our laws.

"It must often happen that sailors will lose their certificates: provision should therefore be made for the admission of other reasonable proof of their citizenship, such as their own oaths, with those of the masters, mates, or other creditable witnesses. The rolls of the crews, or shipping papers, may also be authenticated by the collectors of the customs: and then they ought to be admitted as of equal validity with the individual certificates."

From the same to the same.

Sept 10, 1796.

"I enclose a letter from Francis S. Taylor, deputy collector of Norfolk, respecting four impressed seamen. It appears to be written with candour, and merits attention. If, as the captain of the *Prevoyante* [Wemyss] says, the dignity of the British government will not permit an enquiry on board their ships for American seamen, *their doom is fixed for the war: and thus THE RIGHTS OF AN INDEPENDENT NATION ARE TO BE SACRIFICED TO BRITISH DIGNITY.* Justice requires that such enquiries and examination be made; because otherwise the liberation of our seamen will be impossible. For the British government, then, to make professions of respect to the rights of our citizens, and willingness to release them, and yet deny the only means of ascertaining those rights, is an insulting tantalism.

"If the British government have any regard to our rights, any respect for our nation, and place any value on our friendship they will even facili-

tate to us the means of relieving our oppressed citizens. The subject of our impressed seamen makes a part of your instructions; but the president now renews his desire that their relief may engage your special attention."

CHAP. XXII.

Impressment during the Administration of Mr. Adams. Letter from Rufus King. From Silas Talbot. From Timothy Pickering. Instructions of Judge Marshall to Rufus King. Mr. Liston's project of a treaty. Rejected on account of Impressment.

I now proceed in chronological order to state the views of our government upon—the remonstrances of our public officers against—and the redress afforded or refused in—the odious affair of impressment, during the administration of Mr. Adams.

I begin with Rufus King, esq. whose name, from the ground he now takes in politics, is a tower of strength on this subject.

From Rufus King, Esq. to Timothy Pickering, Secretary of State.

London, April 13, 1797.

The subject [of impressment] in all its details, has come under my observation: and its importance, I confess, is much greater than I had supposed it. Instead of a few, and these in many instances equivocal cases, I have, since the month of July last, made application for the discharge from the British men of war of 271 seamen, who stating themselves to be Americans, have claimed my interference: of this number 86 have by the admiralty been ordered to be discharged; 37 more have been detained as British subjects, or as American volunteers, or for want of proof that they are Americans: and to my applications for the discharge of the remaining 148, I have received no answer. *(The ships on board of which these seamen were detained, having, in many instances, sailed before an examination was made, in consequence of my applications)*

"It is certain, that some of those who have applied to me, are not American citizens. *(But the exceptions are in my opinion few: and the evidence, exclusive of certificates, has been such as in most instances to satisfy me that the applicants were real Americans, who had been forced into the British service; and who with singular*

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constancy have generally persevered in refusing pay and bounty, though in many instances they have been in service more than two years."

To this document, I most earnestly invite and invoke the attention of the American nation, and the whole people of Christendom. It affords the most conclusive defence of the strong ground taken on this subject by the administration; and sets the seal of eternal contradiction on the assertion so often repeated, that the poor, miserable, enslaved, and by-his-country-abandoned sailor—the pride—the glory—the bulwark of that ungrateful country—is *readily surrendered, when impressed by mistake*. Let no man ever dare again to make the assertion. It is not true. It never was true.

Mr. King tells us a plain story. He applied for the emancipation of 271 American slaves, forced to fight for their enslavers. ¶ *Not quite a third were discharged—* and ¶ *more than one half of the whole number were debarred of any chance of redress, by a plain and simple process.* ¶ The vessels, on board of which they were, having ¶ *"in many instances failed before an examination was had in consequence of his application."*

From Silas Talbot, Esq. agent for the relief of impressed seamen, to Timothy Pickering, Esq. secretary of state.

Kingston, July 4, 1797.

"Admiral Sir Hyde having gained information, that my application to the civil authority of this island, to obtain the release of such American citizens as were found to be detained on board his majesty's ships of war, had been attended with some success, he immediately issued a general order to all captains and commanders of ships and vessels of war, directing them not to obey any writ of habeas corpus, nor suffer any men to leave their ships in consequence of any such writ. Since the above mentioned order was issued, writs have been obtained against Captain Elphinstone, of the Tartar frigate, to produce three Americans, named in the writ, before the chief justice; and against Captain Foster, of the Albicore, to produce four; and also, against Captain Otway, of the Ceres frigate, to produce twenty Americans, in like manner before the chief justice. All those writs were

served but none of them was obeyed. Attachments against the said captains have been ordered by the court; and a writ of attachment against Captain Otway was taken out fifteen days since. But the marshal has not been able, as he says, to serve it on Captain Otway; and from all that I can learn, there is not any probability that he will serve the writ; so that *the law in this island, it seems, cannot be administered for the relief of American citizens, who are held in British slavery; many of whom, as they write to me from on board Captain Otway's ship, have been brought to the gangway, and whipped, for writing to their agent to get them discharged.*"

Here again we find what redress the American slave has to expect. He is brought to the gangway, and **IGNOMINIOUSLY SCOURGED** for daring to try to have his case taken into the cognizance of the American agent for the relief of impressed seamen.

*From Timothy Pickering, Esq. secretary of state, to
Silas Talbot, Esq.*

August, 15, 1797.

"If any naval officer shall have committed such an outrage on any American seamen, as to **BRING THEM TO THE GANGWAY**, as you ment on, or to inflict any kind of punishment on them, especially for seeking opportunities to inform you of their situation, for the purpose of obtaining the just relief to which they are entitled, pray endeavour to get proofs of the fact, that I may make it the subject of a special representation to the British government."

From the same, to Rufus King, Esq.

Trenton. October 3, 1797.

"Lord Grenville's observations on the act of congress for the relief and protection of American seamen, present difficulties which demand consideration at the ensuing session. But your reasoning in your letter to his lordship of the 30th of last November, is conclusive against the British pretences to retain real American seamen who are married in their dominions, or who have voluntarily entered on board British vessels. *It behoves the honour and faith of the British government, to adhere to their principle on natural allegiance wholly, or to renounce it wholly:* and an answer on this point, would have become his lordship's candour.

"I consider C. I. Talbot's agency in the West Indies to be no longer very important. The rigid conduct of Admiral Sir Hyde Parker (who from the beginning has thrown obstacles in the way) leaves but little room to get our seamen released. The opposition of the officers in general, induced Col. Talbot to take out writs of habeas corpus at Jama-

on, by which, directly or in their consequences, *he obtained the discharge of nearly fifty seamen*. But Admiral Parker has for some time past, *forbidden his officers to pay any attention to such writs*; and Col. Fulbot informed me that *some of our seamen have been punished for attempting to send letters to him to inform of their situation*.

"Mr. Liston assured me, that the British officers have orders not to impress any American seamen, and of course not to retain against their will any already impressed; but *if they persist in obstructing every channel of information and proof of their citizenship, such orders are, and will continue, deceptive.*"

Extract of a letter from Rufus King, minister plenipotentiary of the United States, to the secretary of state.

London, March 15, 1799.

"I mentioned our dissatisfaction with the continuation of the practice of taking out of our ships, met on the main ocean, such of their crews as did not possess certificates of American citizenship; denying, as I had often done, in former conferences, upon the same subject, any right on the part of Great Britain, upon which the practice could be founded; and suggesting that *our ships of war, by permission of our government, might, with equal right, pursue the same practice towards their merchantmen*.

"That not only seamen who spoke the English language, and who were evidently English or American subjects, but also *all Danish, Swedish, and other foreign seamen who could not receive American protections, were indiscriminately taken from their voluntary service in our neutral employ, and forced into the war in the naval service of Great Britain.*

"That on this subject *we had again and again offered to concur in a convention, which we thought practicable to be formed, and which should settle these questions in a manner that would be satisfactory for England, and safe for us.*

"That to decline such convention, and to persist in a practice which we were persuaded could not be vindicated, especially to the extent it was carried, seemed less equitable and moderate than we had a right to expect.

"Lord Grenville stated no precise principle upon which he supposed this practice could be justified: and the conversation upon this point, like many others upon the same subject, ended without a prospect of satisfaction. *The French and Spaniards, and every other nation, might pursue the same conduct as rightfully as Great Britain does. With respect to foreign seamen in our employ, this government has, if I recollect, yielded the point, though their own officers continue the practice.* We are assured all American ships discharged on application for that purpose, and that the orders to this effect have been given to their naval commanders; but *this is far*

short of satisfaction—indeed, TO ACQUIESCE IN IT IS TO GIVE UP THE RIGHT.”

I beg the reader will most carefully and attentively peruse the second and third paragraphs of the preceding document.

The second confirms the statement made by Mr. Pickering, when he was secretary, that *the Danes, Swedes and other foreigners were pressed out of our vessels*—and sets aside his recent declaration, that *the impressment of our seamen arose from the difficulty of discriminating between an Englishman and an American*. What a farcical procedure it would be to seize by mistake upon Danes and Swedes, as Englishmen!

But the fact established by the third paragraph is still more important. It is that this country *“had again and again offered to settle these questions in a manner that would be satisfactory for England and safe for the United States.”* And further, that *“England had declined such a convention.”* And yet Mr. Pickering has confidently stated the contrary, in direct opposition to the fact and to his own knowledge and experience :—

“Our government well know, that Great Britain *is perfectly willing to adopt any arrangement that can be devised that will secure to her service the seamen who are her own subjects, and at the same time, exempt ours from impressment.”**

“No man who regards the truth *will question the disposition of the British government to adopt any arrangement that will secure to Great Britain the service of her own subjects.”*†

These facts scorn the aid of comment. The dullest and most Bæotian reader must be struck with the astonishing contradiction and inconsistency they display.

With Mr. Pickering I am almost wholly unacquainted. He is far advanced in years—and has held

* Letter of the honorable Timothy Pickering to his excellency James Sullivan, governor of Massachusetts, page 13.

† Idem, page 8.

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the highest and most confidential offices. He has been honoured with the regard and esteem of the party to which he belongs, of whom he is considered as one of the leaders. He has very modestly asserted of himself,

"I may claim some share of attention and credit—that share which is due to the man who defies the world to point, in the whole course of a long and public life, at one instance of deception—at a single departure from truth."

I call on him and his friends, to reconcile the above statements with the facts of the case. It will give me pleasure if he can, at the close of his long career, justify himself on this point to his own conscience, and to his country, before whose bar I thus solemnly cite him.

One other observation, and I dismiss this letter.—Mr. King explicitly states, and states with justice, that to acquiesce in the surrender of our seamen bring a satisfaction for the injury, is ~~to~~ *to admit the right of impressment*, against which he most zealously and patriotically contended.

Extract from a report of Timothy Pickering, Esq. secretary of state, to Congress.

Dec 9, 1799.

"Admiral Parker paid no attention to the agent's application on behalf of our impressed seamen; the admiral having determined, and informed the agent of the determination, that no proofs would be regarded by him, unless specially presented by the American government through the British minister; nor then but in the single case of native Americans. Under this determination there will be detained, not only the subjects of his Britannic majesty, naturalized since the peace of 1783; but all who, born elsewhere, were then resident in and had become citizens of the United States; also, *all foreigners, as Germans, Swedes, Danes, Portuguese, and Italians, who voluntarily serve in the vessels of the United States. And it is a fact that such foreigners have frequently been impressed; although their languages and other circumstances, demonstrated that they were not British subjects.*"

Here again we have Mr. Pickering's testimony on

* Idem, page 9.

the subject of the latitudinarian principles on which impressment is conducted.

The subject strikes me in a new point of light. An American vessel is met at sea by a British frigate.—The crew are brought trembling before that right reverend and worshipful magistrate, the boatswain's mate. ¶ All who cannot speak plain English are seized;—as, being French, Germans, Danes, Italians, or Hot-tentots, they cannot be natives of the United States, and are not therefore entitled to protection from our flag. This scrutiny is soon over. Another then takes place. And ¶ of those who speak plain English, he seizes as many as he supposes or pretends to suppose to be British subjects!!! And yet we have men in high stations who defend this practice! Would to God that ¶ every man who is an advocate for impressment, was himself impressed and enslaved on board a British man of war, with a cat-o'-nine tails to his back, to punish his refractory spirit, in case he dared to complain.

Extract of a letter from John Marshall, Esq. secretary of state, to Rufus King, Esq. Minister Plenipotentiary of the United States at London, dated

Department of State, Sept. 20, 1800.

"The impressment of our seamen is an injury of very serious magnitude, which deeply affects the feelings and the honour of the nation.

"This valuable class of men is composed of natives and foreigners, who engage voluntarily in our service

"No right has been asserted to impress the natives of America. ¶ Yet they are impressed; ¶ they are dragged on board of British ships of war, with evidence of citizenship in their hands, and ¶ forced by violence there to serve, until conclusive testimonials of their birth can be obtained. These must most generally be sought for on this side of the Atlantic. In the mean time ¶ acknowledged violence is practised on a citizen of the United States, by compelling him to engage and continue in foreign service. Although the lords of the Admiralty uniformly direct their discharge on the production of this testimony; yet ¶ many must perish unrelieved, and all are detained a considerable time, in lawless and injurious confinement.

"It is the duty, as well as the right of a friendly nation, to require that measures be taken by the British government to prevent the continued repetition of such violence by its agents. This can

only be done by punishing and frowning on those who perpetrate it. *¶* The mere release of the injured, after a long course of serving and suffering, is no compensation for the past, and no security for the future. It is impossible not to believe that the decisive interference of the government in this respect, would prevent a practice, the continuance of which must inevitably produce discord between two nations, which ought to be the friends of each other.

"Those seamen who were born in a foreign country, and have been adopted by this, were either the subjects of Britain or some other power.

"The right to impress those who were British subjects has been asserted; and the right to impress those of every other nation has not been disclaimed.

¶ Neither the one practice nor the other can be justified.

"With the naturalization of foreigners, no other nation can interfere, further than the rights of that other are affected. The rights of Britain are certainly not affected by the naturalization of other than British subjects. Consequently those persons who, according to our laws, are citizens, must be so considered by Britain, and every other power not having a conflicting claim to the person.

¶ The United States, therefore, require positively, that their seamen who are not British subjects, whether born in America or elsewhere, shall be exempt from impressment.

"The case of British subjects, whether naturalized or not, is more questionable; but the right even to impress them is denied. The practice of the British government itself, may certainly, in a controversy with that government, be relied on. The privileges it claims and exercises, may certainly be ceded to others. *¶* To deny this would be to deny the equality of nations, and to make it a question of power and not of right.

"If the practice of the British government may be quoted, that practice is to maintain and defend in their sea service all those, of any nation, who have voluntarily engaged in it, or who, according to their laws, have become British subjects.

"Alien seamen, not British subjects, engaged in our merchant service, ought to be equally exempt with citizens from impressments: we have a right to engage them, and have a right to, and an interest in, their persons, to the extent of the service contracted to be performed. *¶* Britain has no pretext of right to their persons or to their service. *¶* To tear them, then, from our possession is at the same time an insult and an injury. *¶* It is an act of violence for which there exists no palliative.

"We know well that the difficulty of distinguishing between native Americans and British subjects has been used with respect to natives, as an apology for the injuries complained of. It is not pretended that this apology can be extended to the case of foreigners: and, with respect to natives, we doubt the existence of the difficulty alleged. We know well that among that class of people called seamen, we can readily distinguish between a native American, and a person raised to manhood in Great Britain or Ireland; and we do not perceive any reason why the capacity of making this distinction should not be possessed in the same degree by one nation as by the other.

" If therefore no regulation can be formed which shall effectually secure all seamen on board American merchantmen, *if* we have a right to expect from the justice of the British government, from its regard for the friendship of the United States and its own honour, that it will manifest the sincerity of its wishes to redress this offence, by punishing those who commit it.

" We hope, however, that an agreement may be entered into, satisfactory and beneficial to both parties. The article which appears to have been transmitted by my predecessor, while it satisfies this country, will probably restore to the naval service of Great Britain a greater number of seamen than will be lost by it. Should we even be mistaken in this calculation, yet the difference cannot be put in competition with the mischief which may result from the irritation justly excited by this practice, throughout the United States. The extent and justice of the resentment it produces, may be estimated in Britain by inquiring *if* what impressions would be made on them by similar conduct, on the part of this government.

" *if* Should we impress from the merchant service of Britain not only Americans but foreigners, and even British subjects, how long would such a course of injury unredressed be permitted to pass unrevenged? How long would the government be content with unsuccessful remonstrance? I believe, sir, that only the most prompt correction of, or compensation for, the abuse, would be admitted as satisfaction in such a case.

" If the principle of this government forbid it to retaliate by impressments, there is yet another mode, which might be resorted to. We might authorize our ships of war, though not to impress, yet to recruit sailors on board British merchantmen. Such are the inducements to enter into our naval service, that we believe even this practice would very seriously affect the navigation of Britain—How, sir, would it be received by the British nation?

" Is it not more advisable to desist from and to take effectual measures to prevent an acknowledged wrong, than by perseverance in that wrong *if* to excite against themselves the well founded resentments of America, and force our government into measures which may very possibly terminate in open rupture?"

Extract of a letter from Rufus King, Esq. to the secretary of state, dated, London, February 23, 1801.

" The progress which had been made in our negotiation with this government, was such as must have brought it to a speedy conclusion, had not a change taken place in the department of foreign affairs; that the result would, in the main, have been satisfactory, is more than I am authorized to say, although I flattered myself with the hope that it would be so. Lord Hawksbury assures me that he will give to the several subjects, which have been pretty fully discussed, an early and impartial consideration: and I am in hopes that

lord St Vincent will likewise be inclined to attend to our reiterated remonstrances against the impressment of our seamen, and the vexations of our trade."

In the year 1800, Mr. Liston, the British minister, submitted to Mr. Adams, president of the United States, a *projet* of a treaty for the mutual delivery of deserters, of which I annex the seventh and ninth articles, being those which alone bear on this subject.

7 "It is, however, understood that this stipulation is not to extend to authorize either of the parties to demand the delivery of any sailors, subjects or citizens belonging to the other party, who have been employed on board the vessels of either of the respective nations, and who have in time of war or threatened hostility, voluntarily entered into the service of their own sovereign or nation, or have been compelled to enter therein, according to the laws and practice prevailing in the two countries respectively.

"It is, however, understood, that no stipulation in this additional article shall be construed to empower the civil or military officers of either of the contracting parties forcibly to enter into the public ships of war, or into the forts, garrisons or posts of the other party; or to use violence to the persons of the land or sea officers of the respective nations, with a view to compel the delivery of such persons as may have deserted from the naval military service of either party as aforesaid."

This *projet* was submitted to the heads of departments and to the attorney general for their opinions, which I subjoin.

*From Timothy Pickering, Esq. secretary of state, to
President Adams.*

February 20, 1800.

"The secretary has the honor to lay before the president Mr. Liston's note of the 4th February, together with his *projet* of a treaty for the reciprocal delivery of deserters: *which appears to the secretary utterly inadmissible, UNLESS IT WOULD PUT AN END TO IMPRESSMENTS*—which Mr. Liston seemed to imagine—while the seventh paragraph of his *projet* expressly recognizes the right of impressing British subjects, and consequently American citizens as at present."

B. Stoddard, Esq. secretary of the Navy to the President.

February 26, 1800.

"The secretary of the navy is clearly of opinion, that *it is better to have no article, and meet all consequences, than not to enumerate merchant vessels on the high seas, among the things not to be forcibly entered in search of deserters.*"

Oliver Wolcott, Esq. secretary of the treasury to the President.

April 14, 1800.

"The project of a treaty proposed by the minister of his Britannic majesty for the reciprocal delivery of deserters from the land and naval service, *does not sufficiently provide against the impressment of American seamen; and is therefore deemed inadmissible.*"

As a substitute for Mr. Liston's article, Mr. Pickering proposed the following :

"It is, however understood, that nothing in these stipulations shall be construed to empower the civil, military or naval officers of either of the contracting parties forcibly to enter into the territory, forts, posts, *or vessels of the other party*—or to use violence to the persons of the commanders or the officers of the forts, posts, or vessels of the other party, with a view to compel the delivery of such persons as shall desert as aforesaid."

This article was intended fully to secure, from impressment, even in our private vessels, not merely our own citizens, but also the subjects of Great Britain.

Mr. Wolcott, secretary of the treasury, proposed a substitute for the article objected to, still more clearly and explicitly annihilating the pretensions of England to impress seamen of any description on board our vessels.

"It is, however understood, that nothing in the foregoing stipulations shall be construed to empower the civil or any other officers, of either party, forcibly to enter the forts, posts, or any other place within or under the jurisdiction of the other party; nor to empower the naval commanders or other officers of either party forcibly to enter *any public or private vessels of the other party, on the high seas, with a view to compel the delivery of any person whatever; on the contrary, it is expressly declared to be the understanding of the*

contracting parties, that the mutual restitutions of persons claimed as deserters, shall only be made by the free and voluntary consent of the military officers employed in the land service, or the commanders of the public or private ships or vessels of the two parties, or in pursuance of the decisions of the courts, judges or other competent civil officers of the two nations, in all cases arising within their respective jurisdiction."

O. WOLCOTT.

James M'Henry, secretary at War, to the President.

"The secretary thinks the projet of Mr. Liston may be substantially accepted, except the 7th article, which seems to provide that the United States shall not demand the delivery of any sailors, although their citizens, if they have been employed in British vessels, and who have, in time of war or threatened hostilities, voluntarily entered into the British service, or have been compelled to enter therein, according to the law and practice prevailing in Great Britain. This article is very inaccurately expressed; for it says, "employed or entered in to the service of their own sovereign or nation or compelled to enter therein," &c. *If this article means, what it is apprehended, it does, it is wholly inadmissible.* It establishes a principle reprobated by this country. The counter projet of the secretary of state, in substance meets the secretary's approbation; but it is submitted, whether the adoption of part of the draft by the secretary of the treasury, will not improve it."

All which is respectfully submitted.

(Signed)

JAMES M'HENRY.

War Department, April 18, 1800.

"The attorney general having read and considered the letter of the secretary of state, and the projet of an article drawn by the secretary of the treasury, on the subject of deserters, which are proposed to be sent to the British minister here, expresses his entire approbation of the same."

CHARLES LEE.

April 10, 1800.

Here is a body of testimony that cannot be withstood. It irresistably bears down an odious practice, which to serve her purposes, faction is labouring to soften and render palatable. But the men who plead its cause in America, posterity will unite in condemning even should they escape the reprobation of their contemporaries.

To afford a specimen of the treatment of some of the impressed American seamen, whose cases it has become fashionable to treat with indifference, I submit extracts from authentic documents on the subject. It will incontrovertibly appear, that the horrors of this odious and execrable business of impressment have been quintupled by the odious and execrable manner in which it has been conducted.

Extract from the deposition of Eliphalet Ladd, second mate on board the Thomas and Sarah, of Philadelphia, and a native of Exeter, New Hampshire, annexed to a report to congress of Timothy Pickering, Esq. secretary of state.

Kingston, June 13, 1799.

"Eliphalet Ladd maketh oath that on Wednesday, the 12th inst. he came on shore with two seamen belonging to said ship, named John Edes and Israel Randol, in order to land a boat load of staves; that a press gang came up and laid hold of John Edes—that one of the press gang named Moody, with a broad sword cut this deponent on the forehead, and made a wound of three inches. They then took deponent, together with Edes, and conducted them in different boats on board the Brunswick man of war; that the boat on board of which Edes was, made the ship some little time before the one deponent was in: and on deponent's nearing the ship, he heard the cries of a man flogging, and on going up the side of the Brunswick, he perceived Edes who was crying; and addressing himself to the first lieutenant, a Mr. Harris, saying, here is a man who can attest to what I have told you. The lieutenant then laying hold of deponent by the arm, said *go along on the quarter deck, you damned rascal*; which deponent accordingly did; that all the impressed men were then examined, and afterwards ordered by the lieutenant into the waist; that when they got there, Edes pulled off his shirt, and showed deponent his back, which was bruised from his shoulders to his hips. He then informed he had been just whipped with ropes ends, as deponent was going up the ship's sides, by the boatswain and his mates, by orders of the lieutenant; that deponent remained on board the Brunswick all that day and the next night, during which time no surgical or medical assistance was given to the wound he had received on his head, nor to the bruises of the said Edes, who during the night called out several times from extreme pains, and the next morning was barely able to move himself; that between nine and ten o'clock the next morning, the whole of the impressed men were again ordered on the quarter deck, and stationed, except deponent and Edes; that while the examination was going on, the captain of the Thomas and Sarah was coming on board; but was

prevented by the lieutenant, who ordered the centinel to keep him off; that about eleven o'clock the captain of the Brunswick came on board, and at three o'clock deponent was discharged, but Edes retained.

ELIPHALET LADD.

Sworn before me

William Savage, Justice of the peace, &c.

Richard Carter, of the Pomona, of Portsmouth, impressed at the same time with Ladd and Edes, among other items of his deposition, swore—"he was violently forced into a boat and *he* struck twice with a drawn cutlass by one of the officers of said press gang; and two men with pistols placed over this deponent, who *he* loaded their pistols in the presence of this deponent, and *he* threatened to blow out his brains if he attempted to move or speak: and then they carried this deponent, and John Edes, one of the seamen of the ship Thomas and Sarah, an American citizen, whom they had also seized, on board the said ship of war, the Brunswick, and this deponent saith on getting on board the Brunswick, this deponent and the said John Edes were ordered to go on the quarter deck, where Mr. Harris, the first lieutenant of the said ship, abused this deponent and said John Edes, and gave them in charge to the master of said ship, while he went to look for the boatswain's mate; and soon after returned with the boatswain's mate, whom he ordered to take this deponent and the said John Edes, and to beat them; in obedience to which orders, *he* the said John Edes and this deponent were severely beaten, particularly this deponent, *he* the said boatswain's mate doubling a rope of about three inches and a half thick and *he* beating this deponent with great violence over the head, face, neck, shoulders, back and stomach, until he had tired himself; and then *he* gave the same rope to one of the mariners of the said ship Brunswick, and he also severely beat this deponent in the same manner; and this deponent saith *he* he received upwards of a hundred blows; and was thereby greatly bruised, and *he* his face cut and his stomach, as well internally as externally injured, so that this deponent *he* brought up a quantity of blood for several days.

Sworn before me,

WILLIAM SAVAGE.

I have omitted the residue of this deposition to avoid prolixity. The deponent was liberated by habeas corpus.

Annexed to this deposition is that of the physician, who attended Richard Carter, who declared, that

"From the situation in which he found the said Carter, he verily believed he had been very severely beaten some days previous, his blood being very much extravasated, and from the appearance of the bruises it must have been done with a thick rope."

I know not in what terms to pour out my abhorrence and indignation at the abominable scenes depicted in the preceding depositions and narratives. Language fails in the attempt. Shame, disgrace, dishonour and infamy will attend the councils and counsellors of America for the base submission to such monstrous cruelty. The outrage ought to have been met at the threshold—the sufferers ought to have been compensated at the public expence, that is, as far as such horrible injuries can be compensated—and a demand made for repayment of the money thus employed. And if not complied with, full and complete retaliation ought to have taken place.

CHAP. XXIII.

Impressment during the Administration of Mr. Jefferson. Letter from Rufus King. Arrangement with Lord St. Vincent rejected by Mr. King. Memorials from Salem, New-York, Philadelphia, Baltimore, and Newhaven. Murder of Captain Pearce. Proceedings of Federal Republicans of New York.

From Rufus King, Esq. to the Secretary of State.

SIR,

New-York, July, 1803.

"I take the liberty to add a few miscellaneous articles, by way of supplement to my last despatch.

AMERICAN SEAMEN.

"As soon as the war appeared to me unavoidable, I thought it advisable to renew the attempt to form an arrangement with the British government for the protection of our seamen. With this view I had several conferences, both with lord Hawksbury and Mr. Addington, who avowed a sincere disposition to do whatever might be in their power to prevent the dissatisfaction on this subject, that had so frequently manifested itself during the late war: *with very candid professions, I, however, found several objections*, in discussing the project with the first lord of the admiralty. Lord Hawksbury having promised to sign any agreement upon the subject that I should conclude with lord St. Vincent, I endeavoured to qualify and remove the objections he offered to our project, and finally, the day before I left London, lord St. Vincent consented to the following regulations.—

"1. No seaman or seafaring person shall, *upon the high seas, and without the jurisdiction of either party*, be demanded or taken out of any ship or vessel belonging to the citizens or subjects of one of the parties, *by the public or private armed ships or men of war*, belonging to or in the service of the other party; and strict orders shall be given for the due observance of this engagement.

"2. Each party will prohibit its citizens or subjects from clandestinely concealing or carrying away from the territories or colonial possessions of the other, any seamen belonging to the other party.

"3. These regulations shall be in force for five years, and no longer.

"On parting with his lordship, I engaged to draw up, in the form of a convention, and send him these articles, in the course of the evening, who promised to forward them, with his approbation, to lord Hawksbury. I accordingly prepared and sent the draft to his lordship, who sent me a letter in the course of the night, stating that on further reflection he was of opinion, that *the narrow seas should be expressly excepted*, they having been, as his lordship remarked, immemorially considered to be within the dominion of Great Britain; that with this correction he had sent the proposed convention to lord Hawksbury, who, his lordship presumed, would not sign it before he should have consulted the judge of the high court of admiralty, Sir William Scott.

"As I had supposed, from the tenor of my conferences with Lord St. Vincent, that the doctrine of the *mare clausum* would not be revived against us on this occasion, but that England would be content with the limited jurisdiction or dominion over the seas, adjacent to her territories, which is assigned by the law of nations to other states, I was not a little disappointed on receiving this communication; and after weighing well the nature of the principle, and the disadvantages of its admission, *I concluded to abandon the negotiation rather than to acquiesce in the doctrine it proposed to establish.*

"I regret, not to have been able to put this business on a satisfactory footing, knowing, as I do, its very great importance to both parties; but I flatter myself that I have not misjudged the interest of our country, *in refusing to sanction a principle that might be productive of more extensive evils than those it was our aim to prevent.*"

This is an important document, and must not be overlooked in forming a decision on the question of impressment. Mr. King is united with, and a leader among those men who are hunting down Mr. Madison, and preparing the way for anarchy and civil war: and the chief pretence is the stand Mr. Madison has made against impressment. Nevertheless we find it indisputably true, that more than one half of the miseries of our poor, oppressed, and enslaved seamen are chargeable to the ac-

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count of Mr. King himself. And whatever may be the maledictions which his friends are showering down upon Mr. Madison, a double portion of them have been richly earned by Mr. King. For we find, had he been so disposed, he might have rescued our sailors from the horrors of slavery, every where but on the narrow seas, which would have greatly abridged their sufferings, as well as our complaints against Great Britain. And yet now, with a most wonderful and hideous degree of inconsistency, he is, as I have stated, persecuting and trying to crush Mr. Madison for the attempt to protect our seamen, in whose favor he formerly displayed such a high degree of solicitude.

*Extract from a memorial of the inhabitants of Salem,
January 20, 1806.*

"Your memorialists are sorry, that other instances of hostile conduct have been manifested by Great Britain, less direct in their nature, but not less derogatory from our sovereignty than those enumerated. ☞ **THE IMPRESSMENT OF OUR SEAMEN** notwithstanding clear proofs of citizenship, the violation of our jurisdiction by captures at the mouths of our harbours, and insulting treatment of our ships on the ocean, are subjects worthy of the serious consideration of our national councils, and will, we have no doubt, receive an early, prompt, and decisive attention."

Signed in behalf of the inhabitants, by their authority.

John Hathorne,
Joseph Sprague,
Jonathan Mason,

Benjamin Crowninshield, junr.
Joseph White, junr.
Joseph Story.

Extract from a memorial of the general meeting of merchants of New-York, Dec. 26, 1805.

"But it is not on account of our pecuniary losses alone that we complain. The constancy and valour of the seamen of the United States are justly themes of patriotic exultation. From their connexion with us, we consider their cause as our cause; their rights as our rights; their interests as our interests. ☞ Our feelings are indignant at the recital of their wrongs."

This beautiful and sublime piece of composition, which does equal honour to the head and heart of the writer, is signed by a committee of forty-nine persons,

whose names may be seen, page 77. Many of these gentlemen have betrayed their honour. They have not redeemed the pledge that accompanied this *morceau*. They have done, and are now doing all in their power to fasten the horrors of impressment, with adamant chains, on those illustrious men "whose cause—whose rights—whose interests—they considered as their own cause—their own rights—their own interests." For no man beyond the rank of an idiot, can doubt that every step taken to cripple the government—which game they are now playing on a large scale—is a step towards laying the nation, tied neck and heels, at the feet of England, to prescribe what terms she pleases, and of course to perpetuate the miseries of impressment.

Extract from the memorial of the merchants of Philadelphia to Congress, December, 1805.

"That our seamen should be exposed to the MEANEST INSULTS, AND MOST WANTON CRUELITIES, and the fruits of our industry and enterprize, fall a prey to the profligate, cannot but excite both feeling and indignation, and call loudly for the aid and protection of government."

Some of the gentlemen who signed this petition stand in precisely the same situation as some of the signers in New-York. The observations made on these—of course apply to those.

Extract from the memorial of the merchants of Baltimore, dated January 21, 1806.

"Your memorialists will not trespass upon your time with a recital of the various acts by which our coasts and even our port- and harbours have been converted into scenes of violence and depredation—and our gallant countrymen oppressed and persecuted."

Extract from a memorial to Congress of the merchants of Newhaven, agreed to February 7, 1806.

"In regard to the impressment of American seamen, your memorialists feel in common with their fellow citizens, a lively indignation

at the abuses of power often exercised by British officers upon American citizens. We have full confidence that the government of the United States will adopt and pursue such measures for restoring these injurious proceedings as the honour and interest of the United States may require."

After the murder of captain Pearce by captain Whitby, of the *Leander*, within the jurisdiction of the United States, there were meetings held in various parts of the country, to express their abhorrence of the outrage. There was on the 26th of April, 1806, a numerous and very respectable meeting of federalists, at the Tontine Coffee House in New York, who appointed Rufus King, Ebenezer Stevens, Oliver Wolcott, William W. Woolsey, and William Henderson, to draw up and report a set of resolutions for the occasion. In their report, which was unanimously agreed to, was the following philippic against the administration for permitting impressment, among other grievances.

"Resolved, That the suffering foreign armed ships to station themselves off our harbour, and there to stop, search, and capture our vessels—to IMPRESS, wound, and murder our citizens, is a gross, and criminal neglect of the highest duties of government; and that an administration which patiently permits the same, is *not entitled to the confidence of a brave and free people.*"

Some of my readers may not know—but it is perfectly proper that all should know, that captain Whitby was brought to trial in England, and honourably acquitted. For the murder of Pearce, no atonement has been made. It still cries shame and disgrace on his countrymen.

Deposition of Isaac Clark.

"I Isaac Clark, of Salem, in the county of Essex, and commonwealth of Massachusetts, on solemn oath declare, that I was born in the town of Randolph, in the county of Norfolk; have sailed out of Salem aforesaid, about seven years; that on the 14th of June, 1809, I was impressed and forcibly taken from the ship *Jane* of Norfolk, by the sailing-master (his name was Car) of his majesty's ship *Porcupine*, Robert Elliot, commander. I had a protection from the cus-

tom-house in Salem, which I showed to captain Elliot: *he swore that I was an Englishman, tore my protection to pieces before my eyes, and threw it overboard, and ordered me to go to work. I told him I did not belong to his flag, and I would do no work under it. He then ordered my legs to be put in irons, and the next morning ordered the master at arms to take me on deck, and gave me two dozen lashes; after receiving them, he ordered him to keep me in irons, and give me one biscuit and one pint of water for 24 hours. After keeping me in this situation one week, I was brought on deck, and asked by captain Elliot, if I would go to my duty. On my refusing, he ordered me to strip, tied me up a second time, and gave me two dozen more, and kept me on the same allowance another week—then ordered me on deck again, asked if I would go to work; I still persisted that I was an American, and that he had no right to command my services, and I would do no work on board his ship. He told me he would punish me until I was willing to work; and gave me the third two dozen lashes, ordered a very heavy chain put round my neck, (such as they had used to sling the lower yard) fastened to a ring bolt in the deck, and that no person, except the master at arms, should speak to me, or give me any thing to eat or drink, but one biscuit and pint of water for 24 hours, until I would go to work. I was kept in this situation for nine weeks, when being exhausted by hunger and thirst, I was obliged to yield. After being on board the ship more than two years and a half, and being wounded in an action with a French frigate, I was sent to the hospital—when partially recovered, I was sent on board the Impregnable, 98 gun ship. My wound growing worse, I was returned to the hospital, when the American consul received a copy of my protection from Salem, and procured my discharge, on the 29th day of April last. There were seven impressed Americans on board the Porcupine, three of whom had entered."*

ISAAC CLARK.

Essex, ss Dec 23, 1812.

"Then Isaac Clark personally appeared and made solemn oath that the facts in the foregoing declaration, by him made and subscribed, were true in all their parts—before

JOHN PUNCHARD, } Justices of the peace,
M. TOWNSEND. } and of the quorum.

From Com. Rodgers to the Secretary of the Navy.

U. S. Frigate President, Boston, Jan. 14, 1813.

SIR,

"Herewith you will receive two muster books, of his Britannic majesty's vessels, Moselle and Sappho, found on board the British packet Swallow

"As the British have always denied that they detained on board their ships of war, American citizens, knowing them to be such, I send you the

enclosed, as a public document of their own, to prove how ill such an assertion accords with their practice.

"It will appear by these two muster books that so late as August last, about an eighth part of the Moselle and Sappho's crews were Americans; consequently, if there is only a quarter part of that proportion on board their other vessels, that they have an infinitely greater number of Americans in their service than any American has yet had an idea of.

"Any further comment of mine on this subject, I consider unnecessary; as the enclosed documents speak too plain for themselves.

"I have the honour to be, &c.

(Signed)

JNO. RODGERS.

"The honourable Paul Hamilton,
Secretary of the Navy."

"I Beckman Ver Plank Hoffman, of the town of Poughkeepsie, do certify, that I am a lieutenant in the United States navy; that I was a lieutenant on board the Constitution in the action and capture of the Java, and was sent on board that vessel, and after the crew were removed set her on fire and blew her up.

"Among the crew of the Java, **THIRTEEN IMPRESSED AMERICAN SEAMEN** were found, three of whom had entered the British service, and were left: the other ten were liberated as Americans."

B V. HOFFMAN.

Dated Poughkeepsie, April 16, 1813.

*Compulsory service of impressed Americans on board
British ships of war.*

Dutchess County, ss.

"Richard Thompson, being sworn, saith that he is a native of New Paltz, opposite Poughkeepsie; that he sailed from Wilmington about the 25th of April, 1810, on board the brig Warren, Wm. Killy, captain, for Cork. On the homeward passage in September following, he was impressed and taken on board the Peacock, a British sloop of war, and compelled to do his duty. That while on board that vessel, he made many unsuccessful attempts to write to his friends, to inform them of his situation. He further saith, that after he had heard of the war, himself and two other impressed American seamen who were on board the Peacock, went aft to the captain, and claimed to be considered as American prisoners of war, and refused to do duty any longer.

"They were ordered off the quarter deck, and the captain called for the master at arms, and ordered us to be put in irons; we were then kept in irons about twenty-four hours, when we were taken out, brought to the gangway, **stripped of our clothes, tied and whipped, each one dozen and a half lashes, and put to duty,**

"He further saith, that he was kept on board the Peacock, and did duty till the action with the Hornet; after the Hornet hoisted American colours, he and the other impressed Americans again went to the captain of the Peacock, asked to be sent below, said it was an American ship, and that they did not wish to fight against their country. The captain ordered us to our quarters; called midshipman Stone to do his duty; and if we did not do our duty, *to blow our brains out*; "aye aye!" was answered by Stone, who *then held a pistol at my breast*, and ordered us to our places. We then continued at our pieces, and were compelled to fight till the Peacock struck: and we were liberated after about two years and eight months."

his
RICHARD X THOMPSON.
mark.

Poughkeepsie, April 17, 1813.

Read over and signed JOSEPH HARRIS,
in the presence of JOHN S. FRIAR,

Extract from the log-book of an officer who was on board his majesty's ship Guerriere in the action with the Constitution.

"The Guerriere was a frigate of 1081 tons burthen, taken from the French in 1806; and had 302 men and boys belonging to her. There were ten American seamen on board, who had belonged to her for some years.—But as the declaration of war against Great Britain was not known when she sailed, there had been no opportunity of discharging them; and captain Dacres considering it as unjust to compel a native of the United States to fight against his countrymen, granted them permission to quit their quarters and go below."

Captain Dacres, in his address to the court martial by which he was tried, states this fact in the following terms:

"What considerably weakened my quarters, was permitting the Americans belonging to the ship, to quit their quarters on the enemy hoisting the colors of that nation, which, though it deprived me of the men, I thought it was my duty."

Boston, February 6, 1813.

"Died at Boston, on the 3d instant, on board the frigate President, Godfrey Hyer, seaman, aged 47. The deceased was a native of Rhode-Island, and was one of the numerous instances of impressment, which have been the cause of complaint against the English. He was taken on board an American merchant ship, and though he never voluntarily

entered their service, he was detained from his country and his friends fourteen years, during which time he was present at seventeen engagements, and gained the reputation of a good seaman, and a brave man.

"He at length found means to escape, and on his return to the United States he immediately shipped on board the President, where he continued until his decease—his conduct receiving the marked approbation of his commander and the other officers of the frigate. He was interred on Thursday last at Charlestown—his funeral was attended by a lieutenant, eight midshipmen, all the petty officers, and fifty seamen of the ship, and the ceremonies were performed by the chaplain in a manner highly solemn and impressive."

From the Boston Patriot.

"My brother John Cand, of Woolwich, in the district of Maine, was priest on board his majesty's frigate Macedonian, on the 10th of June, 1810, from the ship Mount Hope, of Wiscasset, and was killed on board the Macedonian, in the battle with the United States, Commodore Decatur. A disconsolate wife and child are in mourning and in sorrow for the loss of a husband and parent, on whom they were dependent."

JOSEPH CAND.

"The following narrative of an impressed American, will show not only the disgraceful manner in which American sailors have been forcibly dragged into a foreign service, but the treatment they receive in consequence of refusing to fight against their country.

Chatham, June 10, 1813.

"I John Nichols, a native of Durham, state of Massachusetts, relate and say, that I sailed from Portland in the ship Franklin, commanded by James Marks, as chief mate, bound to Liverpool, where we arrived the seventh day of February, 1809. The same day I was taken by a press gang, coming from my boarding house to the ship, and carried by them to the rendezvous, Cooper's Row, and detained one night. The next morning I gave the lieutenant my protection, and at the same time stated to them I was chief mate of the ship; also captain Marks and Mr. Porter, supercargo, came and were refused admittance.

"I then asked the lieutenant for my protection; he answered, *"I will give it to you with a hell to it:"* and immediately tore it up before my face, and sent me on board the guard ship Princess, where I remained one week, and was then sent round to Plymouth

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on board the Salvador guard ship; remained there one month, after which I was drafted on board the Aboukir 74, where I remained three years and fourteen days.

"When the war broke out, I determined to give myself up a prisoner of war, let the consequence be what it would. Consequently on the 28th of October, I went to the captain and gave myself up as a prisoner of war, and refused to do any more duty. Then he told me I was an Englishman, and if I would not do duty he would flog me; and ordered me in irons and kept me in irons 24 hours, after which I was taken to the gangway, and I received one dozen with the cut on my bare back.

"The captain then asked me if I would go to duty. I told him no; I would sooner die first. He then put me in irons again for 24 hours, and I once more brought me to the gangway, and I received as before with the same questions, and answer as preceded; and the same was repeated four days successively, and I received four dozen on my naked back.

"After the fourth day I was a prisoner at large. The 26th day of December I was sent to prison without my clothes, they being refused me by the captain after abusing me in the most insulting manner, and all I ever received for my servitude was fourteen pounds. During imprisonment, I have used my best endeavours to escape."

JOHN NICHOLS.

Witness, JEDUTHAN UPTON.

From the Salem Register, July, 1813.

"Captain Upton has furnished us with a list of 118 American seamen, who had been impressed on board British ships of war, and delivered up as prisoners of war, with the places of their nativity, the ships they were discharged from, the time they have served, and the number of Americans left on board the different ships at the time of their discharge. These were on board one prison ship, the San Antonio. Besides these, there were on board the Chatham prison ship 320 men who have been delivered up in similar circumstances. Many of these poor fellows had been detained more than 15 years, and about 40 of the 128 on board the San Antonio, belong to this state."

To the Editors of the National Intelligencer.

"In the month of February 1797, I belonged to the ship Fidelity, captain Charles Weems, lying in the harbour of St. Pierre's, Martinique. About one o'clock Sunday morning, I was awakened by a noise on the deck, and on going up, found the ship in possession of a press gang. In a few minutes all hands were forced out, and ordered into their boat, and in a heavy shower of rain conveyed on board the Ceres Frigate. We were ordered on the gun deck until day light, by which time about 60 Americans were collected.

"Soon after sun rise, the ship's crew was ordered into the cabin to be overhauled—each was questioned as to his name, &c. when I was called on for my place of birth, and answered *New Castle, Delaware*. The captain affected not to hear the last; but said "*aye, Newcastle, he's a collier*, the very man: I warrant him a sailor, send him down to the doctor"—Upon which a petty officer, whom I recognized as one of the press gang, made answer, "*sir, I know this fellow, he is a school-mate of mine, and his name is Kelly—he was born in Belfast—and, Tom, you know me well enough, so dont sham yankee any more.*" "I thought," says the captain "he was a countryman of my own; but an Irishman's all one—take him away."

"The next was a Prussian, who had shipped in Hamburg, as a carpenter of the *Fidelity* in September, 1796—He affected, when questioned, not to understand English, but answered in Dutch. Upon which the captain laughed and said, "*this is no yankee, send him down and let the quarter-master put him in the mess with the other Dutchmen; they will understand him, and the boatswain will learn him to talk English.*" He was accordingly kept.

"I was afterwards discharged by an order from Admiral Harvey, on the application of Mr. Craig, at that time American agent or vice-consul. I further observed that *full one third of the crew were impressed Americans.*"

JOHN DAVIS, of Abel.

Navy Yard, October 12, 1813.

Copy of a Letter from Commodore Decatur, to the secretary of the Navy.

U. S. ship United States, New-London, March 18, 1814.

SIR,

"I have the honor to forward to you enclosed, a despatch received by me from capt Capel, the commanding officer of the British squadron before this port, written in reply to an application of mine, for the release of an American seaman, detained against his will on board the frigate *Statira*.

"Hiram Thayer, born in the town of Greenwich, in the Commonwealth of Massachusetts was impressed into the naval service of Great Britain, in the month of August, 1803, and detained ever since.

"About six year ago, when the *Statira* was put in commission, he was transferred to her, and has been constantly on board her to this day.

"I am informed, and in fact it was stated by captain Stackpole to lieutenant Hamilton, who was charged with the flag, that the late gen. Lyman, our consul at London, made application to the lords commissioners for the discharge of Thayer, but they were not satisfied with the evidence of his nativity.

"John Thayer, the father of Hiram, assures me that the certificate of the selectmen, the town clerk and the minister of Greenwich, were forwarded some time ago to Mr. Mitchell, the resident agent

for American prisoners of war at Halifax; but does not know the reason why he was not released then.

"The son has written to his father, and informed him that on representing his case to apt. Stackpole, he told him *'if they fell in with an American man of war, and he 'id not do his duty he should be tied to the mast, and shot at like a dog.'*"

"On Monday the 14th inst. John Thayer requested me to allow him a flag, to go off to the enemy, and ask for the release of his son. This I granted at once, and addressed a note to capt. Capel, stating that I felt persuaded that the application of the father, furnished as he was with conclusive evidence of the nativity and identity of the son, would induce an immediate order for his discharge.

"The reply is inclosed. The son deserved his father at a distance in the boat, and told the lieutenant of the Statira, that it was his father; and I understand the feelings manifested by the old man, on receiving the hand of his son, proved beyond all other evidence, the property he had in him. There was not a doubt left on the mind of a single British officer of Hiram Thayer's being an American citizen—and yet he is detained, not as a prisoner of war, but compelled, under the most cruel threats, to serve the enemies of his country.

"Thayer has so recommended himself by his obriety, industry and seamanship as to be appointed a boatswain's mate, and is now serving in that capacity in the Statira—and he says there is due to him from the British government about two hundred and fifty pounds sterling. He has also assured his father that he has always refused to receive any bounty or advance, least he might afford some pretext for denying him his discharge whenever a proper application should be made for it. I am, sir, with the highest consideration, your most obedient humble servant."

STEPHEN DECATUR.

Captain Capel's letter, enclosed.

On board his B. M. ship La Hogue, off New London, March 14, 1814.

SIR,

"I have the honor to acknowledge the receipt of your letter with the certificates of exchange and discharge from parole, forwarded to you at the request of col. Barclay, the commissary general of prisoners of war; and I beg to return you my thanks for your polite attention.

"I regret that it is not in my power to comply with your request in ordering the son of Mr. John Thayer to be discharged from his majesty's ship Statira. But I will forward your application to the commander in chief, by the earliest opportunity, and I have no doubt he will order his immediate discharge."

I am, sir, &c.

THOMAS CAPEL, Captain, &c.

*Extract of a letter from Commodore Decatur to the
secretary of the Navy, dated New London, May 17th,
1814.*

"The enclosed, No. 2, is the copy of a note I addressed to captain Capel of his B. M. S. La Hogue, on the subject of Barnard O'Brien, a native citizen of the United States. In the boat that bore the flag of truce to the La Hogue, the father of the man in question went.

"Capt Capel would not permit him to see his son—he directed my officer to inform me that he would answer my dispatch the next day, since when I have not heard from him."

COPY.

SIR,

"At the solicitation of Mr Barnard O'Brien, whose son is now on board his Britannic majesty's ship La Hogue under your command, I have granted a flag of truce, conducted by lieut. Hamilton, with permission for Mr. O'Brien to attend it. His object is to effect the liberation of his son, a native citizen of the United States. He bears with him a copy of the record of the town of Groton in the state of Connecticut, signed by the town clerk and selectmen, as also a certificate from a number of respectable men in Groton, proving his nativity. With these documents I cannot doubt that he will effect the purpose of his visit."

(Signed)

STEPHEN DECATUR.

SIR,

"We the undersigned, take the liberty to solicit your assistance in behalf of Mr Barnard O'Brien, in obtaining his son's release from the British ship La Hogue off New London.

"We are well acquainted with the young man, and know him to be an American-born citizen. His letter to his father, dated on board the La Hogue, the 24th of March, is sufficient proof of his being on board (which letter will be shewn you) If you can give any assistance in obtaining his release, either by letting Mr O'Brien go to the ship by a flag of truce, or in any other way, it will be considered a particular favour conferred on, sir, your most obedient servants."

Gerard Galley,
Nath. Kimball,
Jos. Fittle,

Geo. A. Sulleman,
Ro. S. Avery,
Erastus F. Smith.

P. S. The young man's name is Barnard O'Brien, son of Barnard O'Brien and his wife Elizabeth O'Brien. He was born in the town of Groton, January 29th, 1785 *Extract from the records of the town of Groton.*

A true copy, certified per Amos A. Niles, Town Clerk.

"I certify that Amos A. Niles is town clerk for Groton, and that I believe the above certificate to be a true and correct record of

*Decatur to the
London, May 17th,*

addressed to cap-
tain of Barnard
the boat that bore
the man in question

—he directed my
watch the next day,

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en, son of Barnard
born in the town of
records of the town
es, Town Clerk.

Groton, and that
correct record of

Barnard O'Brien's birth. I do also certify that I have known the said
Barnard O'Brien from his youth
Dated, Groton, April 7th, 1814.

NOVES BARBER,

Select man for Groton.

I have now as nearly in chronological order as possi-
ble, brought this odious, this detestable subject to the last
act of the drama.

Some of the actors who stood high in the opening
of the piece, sink far below par in this act. They
stand in conspicuous stations, and possess boundless in-
fluence on our destinies and those of our posterity.—
I regard it therefore as an imperious duty to canvass
their conduct fully and completely, and to cite them to
the bar of the public, which I thus do in the most solemn
manner.

Two of the gentlemen to whom I refer are T. Pick-
ering and Rufus King, Esqrs. whose opinions and con-
duct on this important topic have been in as direct hos-
tility to each other, at different periods, as day and night
—truth and falsehood.

The reader has seen how laudably, how zealously,
how patriotically both these gentlemen, on the subject
of impressment, formerly contended for and defended
the rights of their country—opposed and struggled
against the exorbitant and inadmissible claims of Eng-
land.

They are now united with the Otises, the Blakes, the
Hansons and the Websters, who appear determined to
“PUT DOWN” yes, reader, “PUT DOWN” is the word
—it is strong, significant, and unequivocal—I say, “to
put down the administration” for strenuously insisting on
those rights—for attempting to shield the seaman from
the iron grasp of his enslaver.

This is a clear case I state it in brief. Either
Messrs. Pickering and King were extravagant in their
demands formerly, and endangered the peace of their
country by preferring such exorbitant and unjust claims
on a nation, “the bulwark of our holy religion,” “strug-
gling for her salvation”—and “fighting the battles of

Christendom against Antichrist and his host"—or they are faithless to that country at present, and are using their best endeavors, for factious purposes, to defeat her in the effort to procure simple justice. There is no other alternative. Let them choose for themselves. Let the public ratify or reject the choice. I merely state the case.

Never was there a more striking or revolting instance of the deleterious spirit of party—and of its power to deaden all the finer and more honorable feelings of human nature, than this question exhibits. It is disgraceful and humiliating to the human species. High-minded American merchants possessed of immense fortunes—enjoying in profusion all the luxuries and delicacies this world affords—and owing all these manifold blessings to the labours, the skill, and the industry of our sailors—but ungratefully regardless of the agents by whom they procure these blessings, and blinded by party spirit, regard with calm and stone-hearted apathy the miseries of impressment—and are not merely indifferent to the sufferings of the unfortunate tars "*purloined by men stealers*," from all their humble blessings—and dragging out a miserable existence in slavery of the most galling kind, with a rope's end ready to punish them for murmuring out their sorrows. No. They are not, I repeat it, merely indifferent. They throw themselves into the scale of their enemies. They deride the idea of struggling for the security of a few sailors whom, in the face of heaven and earth, they falsely call vagabonds from England, Ireland, and Scotland, whom our government is wickedly protesting at the hazard of the ruin of the country! Almighty father! To what an ebb is man capable of descending! Let us suppose for a moment that the illustrious Hull, Jones, Perry, Porter, Decatur, M'Donough, or any other of that constellation of heroes, who have bound their country's brows with a wreath of imperishable glory, had been pressed by a Cockburn, their proud spirits subjected

to his tender mercies, and crushed by the galling chain and the rope's end ! What a scene for a painter—what a subject for contemplation—what a never dying disgrace to those whose councils would persuade the nation to submit to such degradation !

There is one strong and striking point of view in which the subject of impressment may be considered, and which really renders the tame acquiescence in it, which is now contended for, pregnant with awful results. ¶ *England has recruited her navy from our vessels with Danes, Swedes, and Italians, as well as native Americans.* WE HAVE SUBMITTED TO IT : ¶ *and Mr. Pickering, Mr. King, governor Strong, H. Gray Otis, &c. now plead in favour of submission.* If this be just, what right, I demand, have we to prevent all belligerents whatever, and at all times, from copying the example ? ¶ Suppose France, Spain, and Italy at war. Are not the cruisers of each nation justified in stopping our vessels in search of the subjects of the powers to which they respectively belong, and as fully entitled ¶ *to enslave the Danes, Portuguese, Swedes, and Englishmen on board, ¶ as the British cruisers are to enslave Frenchmen, Spaniards, Danes, and Portuguese ?* This is a horrible view of the subject, and curdles the blood in my veins. There is no calculating the extent or the enormity of the evil.

I must resume this topic. It is too important to be dismissed in a single paragraph. It deserves volumes. Would to heaven an abler pen were engaged in it.

That British cruisers have been in the constant habit of impressing, without any scruple, and that they regard it as their right to impress, Danes, Portuguese, Frenchmen, Italians, and all other foreigners found on board our vessels, is true, if we believe T. Pickering, Rufus King, and Judge Marshall, whose evidence on the subject is detailed above.

If Great Britain has a right to impress Frenchmen or Spaniards, or Dutchmen on board our vessels, France, Spain and Holland have an equal right to impress Englishmen. Nothing can be more clear.

The British captains assert that they find it difficult or impossible to discriminate between their own subjects and Americans. It must be far more difficult for French captains. And they will be still more excusable for any *mistakes*—and for enslaving Americans. What a frightful fate has faction prepared for our ill-starred seafaring citizens!

I have stated that Messrs. Pickering, King, Strong, &c. contend for submission to impressment. This requires explanation. They do not, it is true, *in words* contend for impressment. But this is the inevitable result of their present course of proceedings; for as I have already stated, and beg to repeat, they have laboured and are now labouring to destroy the present administration, principally for the stand made to put an end to impressment; and the consequence of the violent opposition made to the government on this subject has been to oblige it to postpone the discussion.

A committee of the legislature of Massachusetts was appointed at a late session to enquire into the affair of impressment. The object of the appointment was to damn the character of the administration, by diminishing the enormity of this high-handed offence, against which the Levitical law pronounced sentence of death:—

"He that stealeth a man—and selleth him—or if he be found in his hand, he shall be put to death."

It is painful to state—but it is my duty to state to the world—that this committee by no means did justice to the subject. They acted with most palpable partiality. They reported—wonderful to tell—impossible to believe—that at the commencement of the war, the number of Americans on board the British vessels, belonging to the great commercial state of Massachusetts, was "*only eleven*."*—Yes—reader:—it is really *eleven*—I have read it six times over, to convince myself that I was not mistaken. But it is absolutely true, that a

* From the Road to Ruin, No. 4, published in the Centinel, and written by John Lowell.

committee of the legislature of Massachusetts did report to that body, that at the commencement of the war, ~~THAT~~ THERE WERE BUT "ELEVEN" MASSACHUSETTS SLAVES fighting the battles of "*the Bulwark of our holy religion*" on board the vessels of that Bulwark.

Now, reader, let me beg you to consult the preceding documents carefully—and observe

1. That there were ~~THAT~~ *ten Americans on board the Guerriere* at the time of her engagement with the Constitution.

2. That ~~THAT~~ *there were thirteen Americans on board the Java*, when she was captured by Bainbridge.

3. That ~~THAT~~ *one eighth part of the crews of the Moselle and Sappho*, ~~THAT~~ by the proper muster rolls of those vessels, were Americans. Their crews were above 200; say only that number, and it will be 25.

4. That these plain facts stand on such ground as neither Timothy Pickering, Rufus King, governor Strong, Harrison Gray Otis, Daniel Webster, or A. C. Hanson will dare to dispute. I hereby publicly challenge them to a denial.

5. That I have thus clearly and indisputably established, that on board of four vessels there were 10, and 13, and 25 American slaves, being ~~THAT~~ AN AVERAGE OF TWELVE TO EACH.

6. That there are about 550 British vessels constantly in commission.

7. That an average of twelve allows 6600 on board the British fleet.

8. That this statement corresponds pretty exactly with the records of the secretary of state's office.

And then, reader, say what judgment must be passed on the committee when they gravely state that there were on board the British vessels of war *only eleven natives of Massachusetts!!!* It makes me sick to reflect on such obliquity of mind, and such monstrous perversion of fact.

It is, however, true, that this committee, though the world is grossly deceived by the form of expressions in the report, have a salvo to prevent fixing the charge of falsehood on them. They say these are the results "*as far as their enquiries went.*" But this saving clause escapes the mass of readers, who fasten on the strong allegation, that the administration went to war for impressed seamen, and that there were only eleven natives of Massachusetts impressed. All the rest is passed without notice.

"*As far as their enquiries went*" is a very equivocal expression. They may have stopped at the threshold—or they may have gone half way—or they may have gone through the business completely. That their enquiries did not go very far, is however pretty certain.

The words "*American slaves,*" will startle some delicate ears. The expression is nevertheless correct.—When an Algerine corsair stops one of our vessels, and seizes it and the crew, *the latter are justly regarded as slaves.* *Their case is far better than that of the Americans impressed by British cruisers.* The Algerine slaves work for taskmasters. So do the British slaves. The Algerine slaves are flogged if they refuse "to do their duty." So are the British. The Algerine slaves have but poor fare. So have the British. Thus far they are on a parallel. But here the parallel ceases.—*The Algerine slave is never forced to jeopardize his life in battle—he is never forced to point a gun that may slaughter his countrymen.* But this the British slave must do, or *"BE TIED TO THE MAST AND SHOT AT LIKE A DOG."** Is he not then the most miserable of slaves?

* See Commodore Decatur's letter to the secretary of the navy, page 201.

CHAP. XXIV.

An apology for an egregious error committed by the writer on the subject of preparation for war. The whole session one continued series of preparations. Nineteen acts bearing strong notes of martial arrangement.

I deem it indispensibly necessary to correct a most egregious error into which I was betrayed by the haste in which my first edition was compiled and written. I therein enumerated among the errors of Mr. Madison's administration the neglect to make due preparations for the war, previous to the commencement of hostilities. I am ashamed to have cast such a superficial glance at the subject; to have allowed myself to be so grossly deceived; and to have contributed to lead my reader astray. There were ample preparations made, as may be seen by the following lists of acts passed during that session of congress, towards the close of which war was declared.

(Let me observe, *en passant*, that the sins of both parties are flagrant and ruinous enough to the nation without requiring any addition or exaggeration)—

Previous to the declaration of war.

1. An act for completing the existing military establishment. Passed December 24, 1811.
2. An act to raise an additional military force. This act provided for raising ten regiments of infantry, two regiments of artillery, and one regiment of light dragoons, to be enlisted for five years, unless sooner discharged. The infantry amounted to about 20,000 men—the artillery to 4000—and the cavalry to 1000. Passed Jan. 11, 1812.
3. An act authorizing the purchase of ordnance and ordnance stores, camp equipage, and other quarter master's stores and small arms. Passed Jan. 14, 1812.
4. An act authorizing the president of the United States to

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States to accept and authorize certain volunteer military corps, not to exceed 50,000 men. For this purpose there was an appropriation of 1,000,000 dollars. Passed Feb. 6, 1812.

5. An act appropriating 108,772 dollars for the expenses incident to six companies of mounted rangers. Passed Feb. 20, 1812.

6. An act making appropriations for the support of the military establishment of the United States for 1812, viz.

For pay of the army	-	-	-	869,939
Forage	-	-	-	101,624
Subsistence	-	-	-	685,000
Clothing	-	-	-	293,804
Bounties and premiums	-	-	-	70,000
Medical department	-	-	-	50,000
Ordnance and ordnance stores	-	-	-	1,135,000
Fortifications	-	-	-	296,019
For the quarter master's department	-	-	-	735,000
For purchase of horses	-	-	-	150,000
Contingencies	-	-	-	50,000
Indian department	-	-	-	161,500
Militia of Louisiana, &c.	-	-	-	32,000
Passed Feb. 21, 1812.				
				4,635,945

7. An act making appropriations for the support of an additional military force :—

For pay	-	-	-	-	1,406,857
Forage	-	-	-	-	154,135
Subsistence	-	-	-	-	1,074,097
Clothing	-	-	-	-	863,344
Bounties and premiums	-	-	-	-	442,260
Horses for dragoons	-	-	-	-	282,000
Quarter master's department	-	-	-	-	408,760
Medical department	-	-	-	-	125,000
Contingencies	-	-	-	-	355,914
Passed Feb. 21, 1812.					
					5,112,564

8. An act making appropriations for the support of the navy of the United States, for 1812.

Pay and subsistence	-	-	-	1,123,311
Provisions	-	-	-	559,757
Medicines	-	-	-	40,000
Repairs of Vessels	-	-	-	315,000
Freight, store rent, &c.	-	-	-	115,000
Navy yards, &c.	-	-	-	60,000
Ordnance and ordnance stores	-	-	-	280,000
Saltpetre, sulphur, &c.	-	-	-	180,000
Pay and subsistence of marine corps,	-	-	-	154,316
Clothing for marine corps	-	-	-	49,281
Military stores for do.	-	-	-	1,777
Medicines, &c.	-	-	-	3,500
Quarter master's stores	-	-	-	20,000
Passed Feb. 24, 1812.				

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9. An act making a further appropriation for the defence of our maritime frontier. This act appropriated for the purpose, 500,000 dollars.

Passed March 10, 1812.

10. An act for a loan of 11,000,000 of dollars for defraying the above expenses.

Passed March 14, 1812.

11. An act concerning the naval establishment, for repairing the frigates Constellation, Chesapeake and Adams.

For this purpose there was appropriated 300,000 dolls.

By this act there was an appropriation made of 200,000 dollars annually for three years, for the purchase of a flock of timber for ship building. The first appropriation was for rebuilding the frigates Philadelphia, Gen. Green, New York and Boston.

Passed March 30, 1812.

12. An act in addition to the act to raise an additional military force.

Passed April 8, 1812.

13. An act to authorize a detachment from the militia of the United States, to the amount of 100,000 men. This act contained a clause appropriating one million

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of dollars towards defraying the expenses to accrue under it.

Passed April 10, 1812.

14. An act for the organization of a corps of artificers.

Passed April 23, 1812.

15. An act for the better regulation of the ordnance.

Passed May 14, 1812.

Subsequent to the declaration of war.

16. An act for the more perfect organization of the army of the United States.

Passed June 26, 1812.

17. An act making a further appropriation for the defence of the maritime frontier, and for the support of the army of the United States.

Passed July 5, 1812.

18. An act making additional appropriations for the military establishment and for the Indian department.

Passed July 6, 1812.

19. An act making further provision for the army of the United States.

Passed July 6, 1812.

It therefore appears, that nearly the whole session was spent in making preparations for hostility—for offensive and defensive operations. I shall not easily forgive myself the very extraordinary error of which I have acknowledged myself guilty on this subject. I shall regard it as a monition as long as I live, against precipitate decision. And may I take the liberty of hinting to the reader, whoever he be, that he may perhaps derive a useful lesson from the fact? If with the attention I have been in the habit of paying to public affairs---reading two or three papers every day---and perfectly convinced of the justice of the war---I have nevertheless fallen into such a palpable, such a monstrous error, on so plain a point---if I have brought so unjust an accusation against the congress which declared war---how difficult must it be for persons

remote from opportunities of judging correctly, and liable to be misled by interested or factious men, to form accurate opinions?

Let it be borne in mind that among the most heinous charges on the subject of the war, against the administration, the want of due preparation has been the most prominent. We here see how very fallacious and unfounded is the allegation.

CHAP. XXV.

Reproaches of the minority against the imbecility of the majority. Pernicious consequences of newspaper misrepresentations. British deceived by their friends.

While the serious preparations stated in the preceding chapter were going forward, the federal printers throughout the union were pretty generally and zealously employed in ridiculing the idea of war—persuading the public that all these measures were illusory and intended to intimidate the British ministry—and that our government possessed neither the courage nor the means to venture on hostility.

I have already quoted the notorious declaration made by several members of congress, particularly Mr. Josiah Quincy, that “*the majority could not be kicked into war.*”—

This course of proceeding is not easily accounted for. It must have had some motive. And it requires an extraordinary degree of charity to ascribe it to one either laudable or patriotic.

Let us for a moment suppose, that our rulers did not really mean war—that they were actually destitute of the means of carrying it on—that they were “*too cowardly to be kicked into it*”—was it wise, was it prudent, was it honourable, was it politic, to blazon our deficiencies to the world—to assure England that she might safely and with impunity continue the perpetration of her outrages on an unoffending neutral, because that neutral could

not be kicked into war to resist these outrages? Surely not.

In pursuance of the plan I have followed throughout this work, of establishing all points of importance by indisputable evidence, I subjoin a few of the paragraphs to which I refer. They will satisfy even the most incredulous reader.

"The project of attacking Canada is now given up. Some other plan is to be devised." *Philadelphia Gazette*, Jan. 30, 1812

"They [the leaders in congress] have already gone far enough in war. ¶ They are conscious they cannot commence, promote, and terminate a war; that the hands which begin, will never finish it. They shrink from it. They already stagger under the weight.

" Illi pedes vitiosum ferre recusant corpus."

They are frightened as the aspect becomes a little serious, and wish to go home, and think of it." *Philadelphia Gazette*, Jan. 10, 1812

"If you think a vote to raise 25,000 men, looks like war, ¶ quiet your apprehensions. You do not understand what is here called management. There will, as I believe, be no war. ¶ The war whoop, he orders in council, the non-importation, and presidential caucussing will vanish before summer." *Baltimore Federal Gazette*, as quoted in the *Philadelphia Gazette*, Jan. 13, 1812.

"I tell you James Madison will not dare to march a man to Canada with the avowed spirit of warfare—not a man, sir—no—not one—in our present defenceless state. ¶ So no more of this dream." *Philadelphia Gazette*, Jan. 27, 1812

"It is amazingly mal-apropos, and moreover very vexatious, that while our sentinels of public liberty are legislating away in "the full tide of successful experiment" at Washington, ¶ their well laid plans are failing everywhere: ¶ the two main sinews of their darling war, appear to be most miserably relaxed. ¶ NEITHER MEN ARE TO BE HAD—NOR MONEY TO PAY THEM." *Alexandria Gazette*, as quoted in the *Philadelphia Gazette*, May 14, 1812.

This paragraph was published only five weeks before the declaration of war, and was, with hundreds of others, calculated to keep up the delusion to the last, at home and abroad.

During the period when these paragraphs were publishing in our gazettes, I felt the most serious uneasiness on the subject. I believed their effect would be to produce war. I repeatedly expressed my fears on the subject. I was convinced that they would delude England into a belief, that she might laugh our efforts to scorn---and that she would persevere in the obnoxious course till we were

finally "kicked into war." Among other gentlemen to whom I communicated my apprehensions on this subject, were James Milnor, Adam Seybert, and William Anderson, Esqrs. then representatives in congress from this state. It was in the gallery of the house of representatives, and as far as I recollect, early in May, 1812.

The efforts to spread this delusion were not confined to this side the Atlantic. No The same industry was employed in letters to correspondents in England and Ireland, which made their appearance in the public papers in those kingdoms. Never was more application employed on any subject—and never was application more unholy or pernicious.

I have an extract from one of those letters, to lay before the reader. It is a fair specimen of hundreds which really appear to have been dictated by *the most serious apprehensions lest the British should relax, and LEST WE MIGHT THUS ESCAPE WAR.*

From the Londonderry Journal, June 16, 1812.

Extract of a Letter to gentleman in this place, dated

Philadelphia, May, 8, 1812.

"You will perceive, by the copy of a bill which I enclose, that we Americans are "at our dirty work again." But *I advise you not to be alarmed at the violence of our proceedings. We shall continue to bluster. This is our characteristic. And we would do more, if we could. But it is not in our power. We have not a dollar in the treasury—no army deserving the name of one—and are actually without a navy. Added to this, not a moiety of the loan of eleven millions will ever be procured.*"

I wish the reader, before he closes this chapter, to weigh well its contents. Let him dive into the most profound recesses of the human heart, to discover the main spring that dictated paragraphs and letters, fraught with such ruinous consequences.

I am fully persuaded that Great Britain did not desire

actual war; and that had her ministers really believed that the alternative was, war or a repeal of the orders in council, they would have repealed them in season. But their friends on this side the Atlantic cruelly deceived them. Every day's experience proves that *one indiscreet, imprudent, or injudicious friend does more injury than three enemies.* And the friends of England in this country have afforded undeniable proofs of the correctness of the maxim. The writers whom I have quoted above, and others of similar character, have done her more injury than ten times the number of the most violent anti-Anglicans in the country.

CHAP. XXVI.

War proceedings in Congress. Yeas and Nays. Inexplicable conduct. Mr. Quincy and other violent Federalists voted in the affirmative on almost all the questions leading to war—but against war itself.

This, reader, is a dry and dull chapter. It is little more than lists of names, *decies repetita*, and cannot afford much entertainment. But if you have fairly travelled with me thus far, I deprecate your passing over these few pages. What they may want in entertainment, I hope they will make up in instruction.

When the vote was finally taken on the declaration of war, there were 49 members in the negative, whose names are subjoined—

Nays—Messrs Baker, Bartlett, Bleeker, Boyd, Breckenridge, Brigham, Champion, Chittenden, Cooke, Davenport Ely, Emott, Fitch, Gold, Goldsborough, Hufty, Jackson, Key, Law, Lewis, Maxwell, M'Bryde, Metcalf, Milnor, Mitchell, Mosely, Newbold, Pearson, Pitkin, Potter, Quincy, Randolph, Reed, Ridgely, Rodman, Sammons, Stanford, Steward, Stow, Sturges, Sullivan, Taggart, Talmadge, Tallman, Tracy, Van Cortlandt, Wheaton, White, Wilson,—49.

I annex a statement of the votes on various measures preparatory to war. The names of those who finally voted against the war, are in *Italic*.

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December, 16, 1811.

"The question was taken on the following resolution :

"That it is expedient to authorize the President, under proper regulations, to accept the service of any number of volunteers, not exceeding fifty thousand ; to be organized, trained and held in readiness to act on such service as the exigencies of the government may require.

"And decided thus :

"Yeas — Alston, Anderson, Archer, Avery, Bacon, Baker, Bard, Bartlett, Bassett, Bibb, Blackledge, Bleecker, Blount, Boyd, Breckenridge, Brown, Burwell, Butler, Calhoun, Cheeves, Chittenden, Cochran, Clopton, Cooke, Condit, Crawford, Davis, Dawson, Dinsmoor, Emott, Findley, Fisk, Fitch, Franklin, Gholson, Gold, Goldsborough, Goodwyn, Green, Grundy, B. Hall, O. Hall, Harper, Huffy, Hyneman, Johnson, Kent, King, Lacock, Lefever, Little, Livingston, Lowndes, Lyle, Macon, Maxwell, Moore, M'Bryde, M'Coy, M'Kee, M'Kim, Metcalf, Milnor, Mitchell, Morgan, Morrow, Mosely, Nelson, Newbold, Newton, Ormsby, Paulding, Pearson, Pickens, Piper, Pitkin, Pond, Porter, Quincy, Reed, Ridgely, Ringgold, Rhea, Roane, Roberts, Rodman, Sage, Sammons, Seaver, Sevier, Seybert, Shaw, Sheffey, Smilie, G. Smith, Stow, Strong, Sullivan, Talmadge, Tallman, Tracy, Troup, Turner, Van Cortlandt, White, Whitehill, Williams, Widgery, Wilson, Winn, Wright, Hawes, Desha — 113

"Nays — Messrs. Bigelow, Brigham, Champion, Davenport, Ely, Gray, Jackson, Law, Lewis, Potter, Randolph, J. Smith, Stanford, Sturges, Taggart, Wheaton. — 16.

"The question was next taken on the fourth resolution of the committee on foreign relations, in the following words :

"That the President be authorized to order out from time to time, such detachments of the militia, as in his opinion the public service may require.

"And decided as follows :

"Yeas — Messrs. Alston, Anderson, Archer, Avery, Bacon, Baker, Bard, Bartlett, Bassett, Bibb, Blackledge, Bleecker, Blount, Boyd, Breckenridge, Brown, Burwell, Butler, Calhoun, Cheeves, Chittenden, Cochran, Clopton, Cooke, Condit, Crawford, Davis, Dawson, Desha, Dinsmoor, Earle, Emott, Findley, Fisk, Fitch, Franklin, Gholson, Gold, Goldsborough, Goodwyn, Gray, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, Huffy, Hyneman, Johnson, Kent, King, Lacock, Lefever, Lewis, Little, Livingston, Lowndes, Lyle, Macon, Maxwell, Moore, M'Bryde, M'Coy, M'Kee, M'Kim, Metcalf, Milnor, Mitchell, Morgan, Morrow, Mosely, Nelson, Newbold, Newton, Ormsby, Paulding, Pearson, Pickens, Piper, Pitkin, Pond, Porter, Potter, Quincy, Randolph, Reed, Ridgely, Ringgold, Rhea, Roane, Roberts, Rodman, Sage, Sammons, Seaver, Sevier, Seybert, Shaw, Sheffey, Smilie, G. Smith, J. Smith, Stanford, Strong, Sullivan, Talmadge, Tallman, Tracy, Troup, Turner, Van Cortlandt, Wheaton, White, Whitehill, Williams, Widgery, Wilson, Winn, Wright — 120.

"Nays — Messrs. Bigelow, Brigham, Champion, Davenport, Jackson, Law, Sturges, Taggart. — 8.

Eodem die.

"The question was taken on the fifth resolution, in the words following :

"That all the vessels not now in service belonging to the navy, and worthy of repair, be immediately fitted up and put in commission.

"And carried as follows :

"Yeas—Messrs. Alston, Anderson, Archer, Avery, Bacon, Baker, Bard, Bartlett, Bassett, Bigelow, Blackledge, Bleeker, Blount, Breckenridge, Brigham, Burwell, Butler, Calhoun, Champion, Cheeves, Chittenden, Cochran, Clopton, Cooke, Condit, Crawford, Davis, Dawson, Desha, Dinsmoor, Earle, Ely, Emott, Findley, Fitch, Franklin, Gholson, Gold, Goldsborough, Goodwin, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, Hyneman, Jackson, Johnson, Kent, King, Lacock, Law, Lefever, Little, Livingston, Lowndes, Lyle, Maxwell, Moore, M'Bryde, M'Coy, M'Kim, Metcalf, Milnor, Mitchell, Morgan, Morrow, Mosely, Nelson, Newbold, Newton, Ormsby, Paulding, Pearson, Pickens, Piper, Pitkin, Pond, Porter, Quincy, Reed, Ridgely, Ringgold, Rhea, Roane, Roberts, Sage, Sammons, Seaver, Sevier, Seybert, Shaw, G. Smith, J. Smith, Strong, Sturges, Sullivan, Taggart, Talmadge, Tallman, Tracy, Troup, Turner, Van Cortlandt, Wheaton, White, Widgery, Wilson, Winn, Wright.—111.

"Nays—Messrs. Bibb, Boyd, Brown, Gray, Huffy, Lewis, Macon, Potter, Randolph, Rodman, Sheffey, Smilie, Stanford, Whitehill, Williams.—15.

Dec. 19, 1811.

"The question was taken on the following resolution, and carried.

"That it is expedient to permit our merchant vessels, owned exclusively by resident citizens, and commanded and navigated solely by citizens, to arm under proper regulations to be prescribed by law, in self defence against all unlawful proceedings towards them on the high seas.

"Yeas—Messrs. Alston, Anderson, Avery, Bacon, Baker, Bassett, Bibb, Bigelow, Blackledge, Bleeker, Breckenridge, Brigham, Butler, Calhoun, Champion, Cheeves, Chittenden, Clopton, Cooke, Condit, Crawford, Davenport, Davis, Dawson, Desha, Dinsmoor, Ely, Findley, Fitch, Franklin, Gholson, Gold, Goldsborough, Goodwyn, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, Hyneman, Jackson, Johnson, King, Lacock, Law, Lefever, Little, Livingston, Lyle, Maxwell, Moore, M'Bryde, M'Coy, Metcalf, Milnor, Morgan, Mosely, Nelson, Newbold, Newton, Ormsby, Paulding, Pearson, Pickens, Piper, Pitkin, Pleasants, Pond, Porter, Pearson, QUINCY, Reed, Ridgely, Ringgold, Rhea, Roane, Sage, Sammons, Seaver, Sevier, Shaw, Smilie, J. Smith, Stow, Sturges, Taggart, Talmadge, Tallman, Tracy, Troup, Turner, Van Cortlandt, Wheaton, White, Widgery, Wilson, Bartlett, Potter.—97.

"Nays—Messrs. Archer, Bard, Blount, Boyd, Brown, Cochran, Huffy, Kent, Lowndes, Macon, M'Kee, M'Kim, Mitchell, Morrow, Roberts, Rodman, Sheffey, Stanford, Stewart, Whitehill, Williams, Wright.—22.

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January, 6, 1812.

"The house took up the bill for raising an additional military force: which finally passed, 94 to 31. The yeas and nays were as follows:

"Yeas.—Messrs. Alston, Anderson, Archer, Avery, Bacon, Bard, Bartlett, Bassett, Bibb, Blackledge, Bleeker, Blount, Brown, Burwell, Butler, Calhoun, Cheeves, Clay, Cochran, Clopton, Condit, Crawford, Davis, Dawson, Desha, Dinsmoor, Earle, Emott, Findley, Fisk, Franklin, Gholson, Gold, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, Hyneman, Johnson, Kent, King, Laseock, Lefever, Little, Livingston, Lowndes, Lyle, Maxwell, Moore, M'Coy, M'Kee, M'Kim, Metcalf, Milnor, Mitchell, Morgan, Morrow, Nelson, New, Newton, Ormsby, Paulding, Pickens, Piper, Pond, Porter, QUINCY, Reed, Ringgold, Rhea, Roane, Roberts, Sage, Sammons, Seaver, Sevier, Seybert, Shaw, G. Smith, J. Smith, Strong, Sullivan, Tallman, Talliaferro, Tracy, Troup, Turner, Van Cortlandt, Williams, Widgery, Winn, Wright.—94.

"Nays.—Messrs. Bigelow, Boyd, Breckenridge, Brigham, Champion, Chittenden, Davenport, Ely, Fitch, Huffy, Jackson, Key, Law, Lewis, Macon, M'Bryde, Mosely, Newbold, Pearson, Pitkin, Potter, Randolph, Rodman, Sheffield, Smilie, Stanford, Stewart, Stow, Sturges, Taggart, Talmadge, Wheaton, White, Wilson.—34.

January, 20, 1812.

"The engrossed bill concerning the naval establishment, was read the third time and passed. The yeas and nays on its passage were as follows:

"Yeas.—Messrs. Alston, Anderson, Bassett, Blackledge, Breckenridge, Burwell, Butler, Calhoun, Cheeves, Chittenden, Condit, Davenport, Davis, Dinsmoor, Ely, Emott, Findley, Fisk, Fitch, Franklin, Gholson, Goodwin, Green, Harper, Hawes, Hyneman, King, Little, Livingston, Lowndes, Maxwell, Moore, M'Bryde, M'Coy, M'Kim, Milnor, Mitchell, Nelson, Newton, Pitkin, Pleasants, Pond, Potter, Richardson, Ringgold, Rhea, Seybert, Sheffield, G. Smith, J. Smith, Stewart, Stow, Sturges, Taggart, Talliaferro, Tracy, Troup, Turner, Van Cortlandt, Wheaton, White, Wilson, Winn, Wright.—65.

"Nays.—Messrs. Bacon, Bibb, Boyd, Brown, Cochran, Crawford, Desha, O. Hall, Huffy, Johnson, Laseock, Lyle, Macon, M'Kee, Metcalf, Morgan, New, Newbold, Piper, Roane, Roberts, Rodman, Sage, Seaver, Shaw, Smilie, Stanford, Strong, Mitchell, Williams.—30.

February, 19, 1812.

"The engrossed bill for authorizing a loan for eleven millions of dollars, was read the third time, and the question being put, "shall the bill pass its third reading,"

"Yeas.—Messrs. Alston, Anderson, Archer, Bacon, Bard, Bassett, Bibb, Bleeker, Boyd, Brown, Burwell, Butler, Calhoun, Cheeves, Clay, Cochran, Condit, Crawford, Davis, Dawson, Desha, Dinsmoor, Earl, Emott, Findley, Fisk, Franklin, Gholson, Gold, Goodwyn, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, Huffy, Johnson, Kent, King, Laseock, Lefever, Little, Livingston, Lowndes, Lyle, Macon, Maxwell, Moore, M'Coy, M'Kim, Metcalf, Mitchell, Morgan,

Morrow, Nelson, New, Newbold, Newton, Ormsby, Pickens, Piper, Pleasants, Pond, Porter, Potter, Quincy, Reed, Richardson, Ringgold, Rhea, Roane, Roberts, Sage, Sammons, Seaver, Sevier, Seybert, Shaw, Smilie, G. Smith, J. Smith, Stow, Strong, Tracy, Troup, Turner, Van Cortlandt, Whitehill, Widgery, Winn, Wright.—92.

“Nays—Messrs. Baker, Bigelow, Breckenridge, Brigham, Champion, Chittenden, Davenport, Fitch, Goshenborough, Gray, Jackson, Law, Lewis, Milner, Mosely, Pearson, Pitkin, Randolph, Ridgely, Rodman, Sheffey, Stanford, Stewart, Sturges, Taggart, Talmadge, Wheaton, White, Wilson.—29.

I hope the reader has fully examined those dry lists, and has his mind prepared for the reflections I have to submit upon them.

No man will deny that a public functionary who acts with gross and manifest inconsistency in his political career, especially in matters of the highest possible importance to his constituents, forfeits their confidence. Of course it is extremely dangerous to submit to his guidance.

The war was either just, or unjust.

Every man who believed it unjust, and who voted for a series of measures leading to it, betrayed his trust.

Every man who voted for the measures leading to war ; who opposed it after it was declared ; and who, as far as in him lay, thwarted the measures adopted to carry it on, was guilty of a gross, manifest, and palpable inconsistency—and in either one or other course betrayed his trust.

That these positions are correct cannot be denied. I proceed to apply them—and shall single out an individual to make the case more striking.

Josiah Quincy and many other members voted, as we have seen, *for a set of measures, all predicated upon an approaching war.* But several of them voted against the loan for raising the money necessary to give effect to those measures. They afterwards voted against the war itself. And further, they did not merely vote against the war, but thirty-four of them published a most inflammatory protest, addressed to their constituents, to excite them to oppose

the war. This protest, and other violent measures, were fatally but too successful.

I annex the names of the protestors.

Messrs. Brigham, Bigelow, M'Bride, Breckenridge, Baker, Bleecker, Champion, Chittenden, Davenport, Emott, Ely, Fitch, Gold, Goldsborough, Jackson, Key, Lewis, Law, Moseley, Milnor, Potter, Pearson-Pitkin, Quincy, Reed, Ridgely, Sullivan, Stewart, Sturges, Talmadge, Taggart, White, Wilson, W. Eaton.

I aver, that the whole of the annals of legislation, from the first organization of deliberative bodies to this hour, *cannot produce a more sinister, dark, or mysterious policy.* These gentlemen are most solemnly cited before the bar of the public, and called upon to explain the motives of their conduct to that country, which has been brought to the jaws of perdition by the opposition which they excited against a war which they countenanced in almost every stage but the last.

CHAP. XXVII.

Declaration of war. Violently opposed.

At length, on the 18th of June, 1812, war was declared against England in due form, after a session of above seven months, and the most ardent debates. The final vote was carried in the senate by 19 to 13—and in the house of representatives by 79 to 49: affirmatives in both houses 98, negatives 62; that is, more than three to two.

War then became the law of the land. It was the paramount duty of all good citizens to submit to it. Even those who doubted its justice or expediency, and who had opposed its adoption, were bound to acquiesce; for the first principle of all republican government—and of all government founded on reason and justice, is, that the will of the majority, fairly and constitutionally expressed, is to be the supreme law.

To that the minority is sacredly bound to submit. Any other doctrine is jacobinical and disorganizing, and has a direct tendency to overthrow all government, and introduce anarchy and civil war. If it be lawful for the minority, in the unparalleled way they have done, to oppose or to paralyze the government, and defeat its measures, on the pretext that they are unjust, such pretexts can never be wanting. And I aver that ~~it~~ *it would be full as just, as righteous, as legal, and as constitutional, for Mr. Holmes at the head of the minority in Massachusetts, to besiege governor Strong, in his house, and coerce him to retire from office, as it is for the Kings, the Websters, the Hansons, and the Gores, to besiege president Madison at Washington.*

While the federalists had the government in their hands, they inculcated these maxims with great energy and effect. The least opposition to law excited their utmost indignation and abhorrence; and the vocabulary of vituperation was exhausted to brand it and its perpetrators with infamy. But to enforce rules that operate to our advantage, when we have power, and to submit to those rules, when they operate against us, are widely different things. And the federalists, as I have already remarked, abandoned, when in the minority, the wise and salutary maxims of political economy which they had so eloquently preached when they were the majority.

And they were not satisfied with mere preaching. They had occasional recourse to violence. A band of Philadelphia volunteers, during the western insurrection, seized a printer at Reading by force and violence in his house, and scourged him in the market place for a libel against the government, not the twentieth part as virulent as those that are daily published at present with impunity.

War is undoubtedly a tremendous evil, and can never be sufficiently deplored. It ought to be avoided by all honourable means. But there are cases which present greater evils than war as an alternative. The questions respecting the existing war with Great Britain are, whether it was warranted by the conduct of that nation—and

Whether, after having been duly declared by the constituted authorities, it was not the incumbent duty of the whole nation to have united in their support of it. The first of these questions is of so much importance that I shall devote to it the 28th chapter entire. I have already sufficiently discussed the second in the beginning of the present chapter.

From the hour of the declaration of war, a steady, systematical, and energetic opposition was regularly organized against it. The measure itself, and its authors, and abettors were denounced with the utmost virulence and intemperance. The war was unholy—wicked—base—perfidious—unjust—cruel—and corrupt. And every man that in any degree co-operated in it or gave aid to carry it on—was loaded with execration. It has been recently pronounced in one of our daily papers to be the most wicked and unjust war that ever was waged. The disregard of truth and of the moral sense of the reader, which such a declaration betrays is calculated to excite the utmost astonishment. Can this war for an instant be compared to the atrocious and perfidious war waged by Bonaparte against Spain—to the treacherous war of England against Denmark, begun by a most lawless and unprecedented attack upon the shipping and capital of an unoffending neutral? I pass over thousands of other instances.

Those who were unacquainted with the causes that led to this war, might, from the publications that appear against it, believe that the United States had been wholly the aggressors---that England had been a tame and submissive sufferer of depredation, outrage, and insult---and that our rulers had been wantonly led by inordinate and accursed ambition to engage in a ruinous and destructive war, to enrich themselves---squander away the public treasure---and impoverish the nation. They were, it would appear, actuated by as unholy motives as ever impelled Attila, Genghis Khan, or Bonaparte, to perpetrate outrage and cruelty to the utmost extent of their power.

These allegations are made in the strongest language

in the public papers in London. The prince regent has appealed to the world that Great Britain was not the aggressor in the war. And the lords of the admiralty assert that war was declared *after all the grievances of this country had been removed.*

The federal papers re-echo and magnify the accusations of the British writers, and have succeeded so far as to inflame a large portion of the public with the most frantic exasperation against the rulers of their choice, whom they suspect of having abused their confidence.

Governors of states in their addresses, as well as senates and houses of representatives in their replies, have taken the same ground---and assumed guilt, profligacy, and corruption as the parents of the declaration of war.

The house of representatives of Massachusetts, regardless of the holy rule, "*judge not, lest ye be judged*" in the most unqualified manner, with an utter destitution of the least semblance of charity, assert, that

"The real cause of the war must be traced to the first systematical abandonment of the policy of Washington and the friends and framers of the constitution; to implacable animosity against those men, and their universal exclusion from all concern in the government of the country;---to the influence of worthless foreigners over the press, and the deliberations of the government in all its branches;---to a *jealousy of commercial states,** fear of their power, contempt of their pursuits, and ignorance of their true character and importance;---to the cupidity of certain states for the wilderness reserved for the miserable aborigines;---to a violent passion for conquest," &c.

With *equal candour* the senate of that state, not to be outdone by the other legislative branch, declares that

"*The war was founded in falsehood, declared without necessity, and its real object was extent of territory by unjust conquest, and to aid the late tyrant of Europe in his view of aggrandizement.*"

* The absurdity and total want of foundation of these allegations I shall fully establish in a subsequent chapter.

CHAP. XXVIII.

Peace Party. Composed of warlike materials. Repeated clamour for war.

Immediately after the declaration of war, there was a party formed, called the "Peace Party," which combined nearly the whole of the federalists throughout the union. Their object was to expose the war---the administration---the congress who declared it---and all who supported it, to reprobation---and to force the government to make peace.

This party embraced various descriptions of persons, all enlisted under the banners of federalism, whom it may not be improper to enumerate.

First, those who were clamorous for war with England in 1793, for her depredations on our commerce.

Secondly, those who declared and supported the war against France in 1798.

Thirdly, those who were vociferous for war against Spain in 1803, when she interdicted us from the right of deposit at New Orleans.

Fourthly, those who in 1806, urged the government to resist the aggressions of England, and to make the alternative---*redress of wrongs or WAR.*

Fifthly, those who, after the attack upon the Chesapeake in 1807, were clamorous for war, as the only mode in which satisfaction could be had for such an outrageous insult.

To enable the reader to make a fair comparison of the several degrees of complaint at these several periods of time, I annex a synoptical view of them.

1812.	1807.	1806.	1803.	1797.	1793.
War with Great Britain.	Clamour for war with G. Britain.	Clamour for war with G. Britain.	Clamour for war with Spain.	War with France.	Clamour for war with England.
Cause.	Cause.	Cause.	Cause.	Cause.	Cause.
AMERICAN VESSELS OWNED BY AMERICAN CITIZENS, LADEN WITH AMERICAN PRODUCTIONS, AND NAVIGATED BY AMERICAN SEAMEN, LIABLE TO SEIZURE AND CONDEMNATION, if bound to France, Holland, or the north of Italy, in other words, the trade of the United States with 50 000 000 of the people of Europe interdicted.	Attack on the Chesapeake. Impressment.	Enforcement of the rule of 1756. Impressment.	Prohibition of the right of deposit at New Orleans.	Ambassadors insulted. Attempt to extort money.	Depredations on commerce.

I beg the reader will pay particular attention to this table. Let him for a moment, whether federalist or democrat, divest himself of all prejudice on this subject. Let him suppose himself called to decide upon events of a former age or distant country. Let him compare the different grievances together, and I trust he must acknowledge that those of 1812, very far outweighed any or all of the others.

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Let us consider the case of the suspension of the right of deposit at New-Orleans. On that occasion the federal party in congress and out of doors were loud in their clamour for war, *without even allowing time for making an attempt to procure redress by negotiation.* Motions were made in congress for raising 50,000 men to sail down the Mississippi in order to chastise the insolence of the Spaniards. They upbraided the government for its pusillanimity in not vindicating the national honour. The cry then was—"millions for defence, not a cent for tribute."

Extract of a letter from the Seat of Government to a friend in Massachusetts.

"The Mississippi river is the common highway to the people of the western country, on which they must pass with their produce to market. *They never will suffer this highway to be obstructed or shut up. The free navigation of this river must be preserved to that portion of the American people, or the American empire must be dismembered.* If we had a Washington at the head of our government I should expect firm decisive measures would upon this occasion be pursued; that a military force sufficient to take New-Orleans, would immediately and without delay be assembled at the Natchez, in the Mississippi territory; that upon the refusal of the Spanish government, upon demand, to fulfil the treaty; that army thus assembled should immediately proceed down the river, and take possession of New-Orleans. *But I apprehend no such vigorous measures will be adopted by our present executive—*From the reduction of the army last year, what regular troops have we remaining to be employed in that service?" Boston Centinel, January 19, 1803.

"Notwithstanding the milk and water measures the administration has thought proper to adopt respecting the "Occlusion" of the port of New-Orleans—the language of the people on the occlusion is directly the reverse." Boston Centinel, Feb. 16, 1803.

Extract of a Letter from Washington.

"We disapprove *the timid and time serving measures which our government has adopted relative to the violation of our treaty with Spain; the states which border on the Ohio and Mississippi are most immediately interested in what the president calls the "occlusion" of the port of New-Orleans.* On the 14th Mr Ross, of Pennsylvania, made a most able and animated speech in the senate, in which he described in striking colours, the situation of the western country, and *urged the necessity of taking effectual measures for their relief, and in*

support of national honour. After having spoken more than an hour, Mr. Ross informed the Senate, that he had prepared several resolutions on the subject, which he asked leave to submit. The democrats immediately moved that the galleries should be cleared. Mr. Ross then declared that if the discussion was to be secret, he should not offer the resolutions, or make any further observations on the subject. The galleries were however cleared by the majority, and the senate soon adjourned. It is understood that a grand caucus was held that evening, and the majority dreading the effect such proceedings might have on the public mind, the next morning it was determined in senate, that the discussion should be public. *Boston Centinel*, March 2, 1803.

New-Orleans.

"Nothing is more contagious than example: the meek and lowly spirit which influences the conduct of the executive towards Spain, has infected even the armed force on the frontier; and the pioneers of their country, *WHOSE SWORDS OUGHT TO LEAP FROM THEIR SCABBARDS TO REVENGE ITS INJURIES*, are now seen to catch at every appearance, however evanescent, to promote the reign of humility. Even general Wilkinson, who, one would suppose, would be tremblingly alive to his country's honour, and *proud of an opportunity to stimulate it to spirited measures*—assumes the dulcet note, and with avidity despatches an express to inform governor Claiborne, not that the Spanish government had restored the United States to their right by treaty; but truly "that the government has given permission for the deposit of all kinds of provisions in New Orleans on *paying six per cent duty!!!*" And this information, says the able and indefatigable editor of the *Evening Post*, is introduced by the words, *the port of New-Orleans open, in large capitals, by way of exultation at this joyous event.* *Boston Centinel*, April 13, 1803.

Communication.

"The president of the United States in his late letters to the executives of the individual States, on the subject of the organization of the militia—speaking of the Spanish conduct at New Orleans, says—"Rights the most essential to our welfare have been violated, and an infraction of treaty committed without colour or pretext. This being the acknowledged state of things, let the world judge, *whether the national honour will be more justly vindicated, and violated rights redressed by the mawkish appeal which has been made to Spanish faith and justice, and French generosity and management, by the degrading solicitation for purchased justice, or the disgraceful proffer of a bribe—or whether these ends would not more readily be obtained by the execution of the manly and spirited measures recommended by the eloquence of Morris, and the patriotism and sound understanding of Ross and the other federalists in congress—posterity will judge.*"

Boston Centinel, April 13, 1803.

"While we deplore the weakness and pusillanimity of our government, we sincerely congratulate our western brethren on the favorable change in their situation: and fervently pray for its long continuance: how far we may attribute this change to *the spirited conduct of the federal members of congress*, cannot at present be fully ascertained. We have no hesitation, however, in believing that it has at least persuaded, if not entirely originated these measures." *Centinel*, April 27, 1803.

"Since the adoption of the federal constitution, no subject has more forcibly affected the feelings of the citizens of the United States, than the "*occlusion*" of the port of *New Orleans* by the Spanish (or French) government. It is a subject to which the attention of the reader cannot too frequently be called. The president of the United States has not hesitated officially to declare, that by this measure "*rights the most essential to the welfare of the American people have been violated, and an infraction of the treaty committed without colour or pretext*:" the spirit of that people has been alive to the injury—and was ready to make any sacrifice to redress the wrong:—but because the federalists in congress felt the full glow of this spirit; and took the lead in proposing the necessary measures to give it efficacy; rather than they should derive any honor from their success, the administration having the power, substituted *a PUSILLANIMOUS NEGOCIATION*, and degrading entreaty, for that spirit of action which manly resentment for violated rights and broken faith, so loudly and so justly called for." *Boston Centinel*, June 15, 1803.

Louisiana Purchased.

"The question will ever be, was the mode of getting the territory the best, the cheapest, the most honourable for our nation? Is the way of negotiating cash in hand as cheap or honourable as that Mr. Ross recommended? We could have had it for nothing." *Centinel*, July 2, 1803.

"All that we wanted on the river *Mississippi* was a place of deposit: that our treaty with Spain gives. It was basely withdrawn, our high spirited rulers are asked to assert our right. O, no.—80,000 militia are to be held ready to defend our turnips and feed the pigs and cattle. But to take our right—to seize what treaties give and fraud withholds; this is not their forte.

"A great man has been heard to say, that war in any case was wrong: and on the question being put whether he would think it wrong to go to war if our country was invaded by a foreign army, even then some other way might be found out. This is our honour's keeper, whom we have elected in the strange hope that he will guard it better than his own.

"Certainly the jacobins do not need a conqueror to make them slaves. They are slaves in soul whom even our liberty cannot raise; slaves are more fascinated with a master's livery than their own rights: yet they expect this base language will make them popular." *Centinel*, July 9, 1803.

"An administration so feeble and despicable, by what it can and what it cannot do, would have sunk under the competition with

France; and a hostile neighbour on the *Mississippi*, would have in two years been our master. Conscious of their *poverty of spirit* and of means, such an administration would have resorted to the ordinary expedient of the *base*, to *yield* part of their wealth to save the remainder." Centinel, July 27, 1803.

"Like true *Spaniels* we are the most *servile* to those who most *insult* us. We receive back our right as a great favour, and pay tribute for that which the despoiler could no longer withhold—the free navigation of the *Mississippi* and a place of deposit on its shore was our right: the privation of which a wrong, and a free and entire restoration, or forcible recovery of it should have been the remedy. True patriotism, thank God, still glows, still blazes, like a seraph in *England*—here it smells of alien—but Great Britain must save the unwilling world to save herself." Centinel, Aug. 13, 1803.

"There is no condition of disgrace granted below ours. In the lowest deep there is no lower deep. Our nation had better not exist at all than exist by sufferance and under tribute." Centinel, August 23, 1803.

Who could possibly suppose that the preceding extracts were taken from the Boston Centinel, owned and edited by major Benjamin Russel, who is at present so ardent, so zealous, so benignant a "*friend of peace*," and who is among the prime leaders of those "*friends of peace*," whose *pacific proceedings* have nearly overturned the government, spread bankruptcy in every direction, ruined thousands and tens of thousands of the best citizens in the country, and laid us pretty nearly prostrate at the feet of a vindictive and powerful enemy? The expense of war is now with major Russel one of its chief objections. At that period, he was so heroically disposed that he urged war as "the cheapest and most honourable" mode of recovering our rights.

The cause of complaint in 1806, was much greater than in 1803. But it bore no comparison to the grievances in 1812. In 1806, besides the lawless depredation on our vessels at sea, without notice, we were interdicted merely from trading with the colonies of the French and Spaniards on other terms than we were permitted in time of peace. How far this was beneath the grievances that led to war, will appear in the next chapter.

Let us see how far Mr. Russel was consistent on this point.

From Washington, January 23, 1806.

"*Fear, prejudice or some other dastardly principle, is continually crossing the path of our rulers: and the loud calls of our country, its commerce, and spoiled merchants, for energetic measures, is unheard, or disregarded. My fears are, that the President's messages will only be supported by windy debates, or pen and ink reports.*"

"*Mr. Randolph, I am told, has very much injured his health, by the exertions he is said here to have made during the time the house was in conclave—he has not attended the house for several days, and is sick. From one quarter or another, the proceedings of the house, when in secret session, are leaking out. My enquiries lead me to believe, that in the spirited measures which Randolph proposed for supporting the president's confidential message, he was joined by every federalist in the house; by a majority of the Virginia representation and some others; but that he was in the minority: and further: that he was opposed by all the New England democrats to a man!*" Boston Centinel, January, 1806.

In 1807, the cause of complaint was still less substantial than in either of the other instances.

I must be pardoned for declaring that any man who was a partisan of war in the above cases, and reprobates the present war as unjust and unnecessary, betrays a most awful degree of inconsistency. And yet it is an indisputable fact that the most violent, the most clamorous, the most jacobinical, and the most seditious, among the present "*friends of peace*" were among the most strenuous advocates for, and "*friends of war*" on the former occasions.

The Boston Centinel has, since the declaration of hostilities, regarded war as the most frightful of all possible evils. But this was not always its view of the subject. Within a fortnight after laying the embargo, that measure was pronounced more formidable than war itself.

"The embargo, which the government has just laid, is of a new and alarming nature. *War, great as the evil is, has less terror, and will produce less misery than an embargo on such principles.*" Boston Centinel, January 2, 1808.

CHAP. XXIX.

Enquiry into the justice of the war. Orders in Council. Strongly reprobated by Messrs. Lloyd, Bayard, and Otis. British depredations. Trade with 50,000,000 of the inhabitants of Europe cut off.

We have seen, page 224, that the senate of the state of Massachusetts has committed itself by a broad and sweeping declaration, that the present war was "*founded in falsehood.*" There is no allowance for human imperfection—for error in judgment—for difference in opinion. The accusation is preferred in the strongest form which our language admits.

If the charge be true, the president who recommended war, and the legislature of the United States which declared it, have betrayed their trust, and are base, abandoned, and wicked. If the charge be false, the senate of Massachusetts are base, abandoned, and wicked.—There is no alternative. One or other description of persons must sink in the estimation of cotemporaries and posterity.

The conduct of Great-Britain to this country for a number of years, has been a constant series of insult, aggression, and depredation. Our harbours had been insulted and outraged—our commerce had been most wantonly spoliated—our citizens had been enslaved, scourged, and slaughtered, fighting the battles of those who held them in cruel bondage. We had, in a word, experienced numberless and most wanton injuries and outrages of various kinds. But the two prominent causes of the war, assigned by the President in that message which recommended, and by the committee in the report which contained, a declaration of war, were impressment and the orders in council. I shall proceed to the examination of both topics. But I previously quote the words of the message and of the report. On the subject of impressment, the President states,

"The practice is so far from affecting British subjects alone, that, under the pretext of searching for these, thousands of American citizens,

under the safeguard of public law, and their national flag, have been torn from their country and from every thing dear to them; have been dragged on board ships of war of a foreign nation; and exposed, under the severities of their discipline, to be exiled to the most distant and deadly climes; to risk their lives in the battles of their oppressors, and to be the melancholy instruments of taking away those of their own brethren."

And the committee,

"We will now proceed to other wrongs which have been more severely felt. Among these is the impressment of our seamen, a practice which has been unceasingly maintained by Great Britain in the wars to which she has been a party since our revolution. Your committee cannot convey in adequate terms the deep sense which they entertain of the injustice and oppression of this proceeding. Under the pretext of impressing British seamen, our fellow citizens are seized in British ports on the high seas, and in every other quarter to which the British power extends; are taken on board British men of war, and compelled to serve there as British subjects. In this mode our citizens are wantonly snatched from their country and their families, deprived of their liberty, and doomed to an ignominious and slavish bondage, compelled to fight the battles of a foreign country, and often to perish in them. Our flag has given them no protection; it has been unceasingly violated, and our vessels exposed to danger by the loss of the men taken from them. Your committee need not remark that while the practice is continued, it is impossible for the United States to consider themselves an independent nation. Every new case is a new proof of their degradation. Its continuance is the more unjustifiable because the United States have repeatedly proposed to the British government an arrangement which would secure to it the control of its own people. An exemption of the citizens of the United States from this degrading oppression and their flag from violation, is all that they have sought."

And on the orders in council, the president observes,

"Under pretended blockades, without the presence of an adequate force, and sometimes without the practicability of applying one, our commerce has been plundered in every sea; the great staples of our country have been cut off from their legitimate markets; and a destructive blow aimed at our agricultural and maritime interests. In aggravation of these predatory measures, they have been considered as in force from the date of their notification; a retrospective effect being thus added, as has been done in other important cases, to the unlawfulness of the course pursued. And to render the outrage the more signal, these mock blockades have been reiterated and enforced in the face of official communications from the British government, declaring, as the true definition of a legal blockade, "that particular ports must be actually invested; and previous warning given to vessels bound to them, not to enter."

20*

"Not content with these occasional expedients for laying waste our neutral trade, the cabinet of Great Britain resorted, at length, to the sweeping system of blockades, under the name of orders in council, which has been moulded and managed, as might best suit its political views, its commercial jealousies, or the avidity of British cruisers."

And the committee states,

By the orders in council of the 11th of November, 1807,

"The British government declared direct and positive war against the United States. The dominion of the ocean was completely usurped by it, all commerce forbidden, and every flag driven from it or subjected to capture and condemnation, which did not subserve the policy of the British government by paying it a tribute and sailing under its sanction. From this period the United States have incurred the heaviest losses and most mortifying humiliations. They have borne the calamities of war without retorting them on its authors."

I shall discuss each item separately.

1. Orders in Council.

To repel the charge of the war being "*founded in falsehood*," so far as respects this item, it would be sufficient to establish their existence on the day war was declared.—This is obvious. For if they existed, then the war could not be "*founded in falsehood*." But I shall not rest satisfied with this alone.

War was declared at Washington on the 18th of June 1812. The repeal, as it is called, of the orders in council, took place on the 23d of that month in London. It is clear, therefore, that the charge of "*falseness*" here is unfounded.

By an official statement presented to congress by the secretary of state on the 6th of July 1812, it appears that the British captures, prior to the orders in council, were 528, and subsequent thereto 389.

It is difficult for me to form an estimate of the amount of these vessels. I am no merchant, and have no adequate data to guide me. I have enquired of mercantile characters, and have been told, that considering the great value of the cottons, &c. of the outward

cargoes to France, and the silks, brandies, &c. of the homeward cargoes, 30 or 40,000 dollars would be a fair estimate. But I will suppose 25,000 dollars for vessel and cargo, which, I presume is not extravagant. This extends to the enormous amount of

13,200,000 dollars,

depredated previous to the orders in council; and

9,725,000 dollars

during the existence of those orders; for the latter of which there was not the least chance of redress.

And it is not the sum of which our citizens were despoiled, that by any mean constitutes the whole of the grievance. The enormous limitation and restrictions of the trade of a sovereign and independent nation was at least of equal magnitude in point of outrage, with the pecuniary loss; for it is a sacred and indisputable truth, that from Nov. 11, 1807, till the day war was declared, *American ships, owned by American merchants, navigated by American seamen, and laden with American productions, were liable to seizure and condemnation if bound to France, Holland, or the northern part of Italy.*

I implore the reader, by all that is candid, to consider well this single sentence: it is a fair statement of the relative situation of the two countries. *The commerce of the United States with nearly one third of the population of Europe was subject to condemnation.* Let him lay his hand on his heart, and answer the question, was not this adequate cause for war? Was not this a greater grievance than the sixpenny tax on tea, which led to the American Revolution? Have not more than nine tenths of all the wars that have ever existed, been declared for less causes? *We were forbidden, by Great Britain, under penalty of confiscation, to carry on trade with above fifty millions of the inhabitants of Europe.* And yet we are gravely told, the war was "founded in falsehood!!" Wonderful, wonderful delusion!!

At that period England herself carried on with France and her dependencies, under licenses, the very trade which she rendered illegal when carried on by the United States!!! And several American vessels, bound for France, and taken by British cruizers, were actually, without breaking bulk, taken into French ports by the captors, or those who purchased from them!!!

I might here dismiss this part of my subject—but as it is one of the most important—one on which Great Britain and the United States are at issue in the face of the world—as the character of this country must be materially affected by a decision of it—and further as it is of great importance to the two parties that divide this nation, I judge it advisable to enter into it more fully.

The only defence ever attempted of these outrageous proceedings is the principle of “retaliation.” This is completely invalidated by Mr. Baring in page 108. It is also unequivocally abandoned by the most prominent and influential leaders of the federal party.

James Lloyd, Esq senator of the United States for the state of Massachusetts, a most decided federalist, a steady, undeviating opposer of the administration and of all its measures, has pronounced sentence of condemnation in the most unequivocal terms upon the pretence of retaliation, in a speech delivered in senate on the 28th of February, 1812.

“And how is it possible, that a third and neutral party can make itself a fair object of retaliation, for measures which it did not counsel—which it did not approve—which militate strongly with its interest—which it is and ever has been anxiously desirous to remove—which it has resisted by every means in its power, that it thought expedient to use, and of these means the government of the neutral country ought to be the sole judge—which it has endeavoured to get rid of even at great sacrifices!—how is it possible that a neutral country thus conducting can make itself a fair object of retaliation for measures which it did not originate—which it could not prevent, and cannot controul!—Thus, sir, to my view, the ORDERS IN COUNCIL ARE WHOLLY UNJUSTIFIABLE, LET THEM BE

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BOTTOMED  EITHER ON THE PRINCIPLE OF RETALIATION,  OR OF SELF-PRESERVATION.

From Mr Lloyd's authority on this topic I presume there will be no appeal. But I am not confined to Mr. Lloyd. Mr. Bayard, a gentleman of equal standing, a quondam senator of the United States from the state of Delaware, now one of our commissioners at Ghent, also a decided federalist, pronounced the same sentence on them---

"They were adopted as a measure of retaliation, though  they never deserved that character. He had always considered the Berlin and Milan decrees  used as a mere pretext.—Those decrees were vain and empty denunciations in relation to England. The plain design of the British government was  to deprive France of the benefits of external commerce,  unless the profits of it were divided with herself.  This was fully proved by the license trade.  Britain carries on the very trade she denies to neutrals and  having engrossed the whole to herself,  she excludes neutrals from a participation.

"I am among the last men in the senate who would justify or defend the orders in council— THEY VIOLATE THE PLAINEST RIGHTS OF THE NATION— The ground of retaliation was never more than a pretext, and  their plain object is to deprive France of neutral trade. It never was contended, nor does Britain now contend that she would be justified by the laws or usages of nations to interdict our commerce with her enemy. She  covers her injustice with the cloak of retaliation, and insists that she has a right to retort upon her enemy the evils of his own policy—This is a doctrine to which I am not disposed to agree. IT IS DESTRUCTIVE TO NEUTRALS. It makes them the prey of the belligerents.

"IT IS A DOCTRINE WHICH WE MUST RESIST."

But I have one other advocate, at least equally unexceptionable. Harrison Gray Otis, who at the moment I hold the pen, December 26th, is in secret conclave at Hartford, deliberating on  redress of grievances, has borne his testimony with equal decision on this subject, in a letter to a friend in London, dated January 14, 1812, republished in the Boston Centinel, and therein acknowledged as authentic.—

"You will perceive by the papers that our government profess the intention to assume a very warlike attitude; and that the  sentiment of indignation throughout the country at the continuation of the

orders in council (☞ is loud and universal from BOTH PARTIES! The motives which induce your government to continue them are quite incomprehensible to the BEST FRIENDS of Great Britain in this country; and (☞ the effect will be to make every man odious who dares to express a wish for your success and prosperity; a sentiment still common to our best men, but which an adherence to this system will impair and destroy.

“ * * * * ☞ The scrupulous adherence of your cabinet to an empty punctilio, will too probably unite the whole country in opposition to your nation, and sever for generations, perhaps for ever, interests which have the most natural affinity, and MEN WHO OUGHT TO FEEL AND LOVE LIKE BRETHREN.”

Let us examine this most precious document. Mr. Otis states that ☞ “the sentiment of indignation against the orders in council was loud and universal from both parties.” This is a strong declaration from Mr. Otis. The concurrence of “both parties” who so seldom agree in any thing is conclusive. And surely it is fair to infer, that Mr. Otis himself must have regarded the orders in council as unjust, and wicked, and oppressive, and piratical, and utterly indefensible, when he cordially confesses that a continuance of them would produce the ☞ effect to render every man odious who dared to express a wish for the success and prosperity” of Great Britain. Be it observed, that these sentiments were expressed on the 14th January, 1812, from which time, till the declaration of war, no change had taken place in the orders.

One other strong fact, and a few observations, and I shall have done.

On the 18th of December, 1808, a vote was taken in the house of representatives on the following resolution,

“Resolved, That the United States cannot without a sacrifice of their rights, honour and independence, submit to the late edicts of Great Britain and France.

“And resolved in the affirmative as follows; yeas 118; nays 2;

“Yeas.—Messrs. Alexander, W. Alston, L. Alston, Bacon, Bard, Barker, Bassett, Blackledge, Blake, Blount, Boyd, Boyle, Brown, Burwell, Butler, Calhoun, Campbell, Champion, Chittenden Clay, Clapton, Calpepper, Cutts, Davenport, Dawson, Deane, Desha, Durrell, Elliot, Ely, Findley, Fisk, Franklin, Gardner, Garnet, Gholson, Goodwin, Gray, Green, Harris, Heister, Helms, Holland, Holmes,

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Howard, Humphreys, Isley, J. G. Jackson, R. S. Jackson, Jenkins, Johnson, Jones, Kelly, Kennan, Key, Kirkpatrick, Lambert, Lewis, Lloyd, Love, Macon, Marion, Masters, M'Creery, Milnor, D. Montgomery, J. Montgomery, N. R. Moore, T. Moore, Jer. Morrow, Jno. Morrow, Moseley, Mumford, Nelson, Newbold, Newton, Nicholas, Pitkin, Porter, Quincy, Randolph, Rea, Rhea, J. Richards, M. Richards, Russel, Say, Seaver, Shaw, Sloan, Smelt, Smilie, J. K. Smith, J. Smith, Southard, Stanford, Stedman, Storer, Sturges, Taggart, Talmadge, Taylor, Thompson, Trigg, Troup, Upham, Van Allen, Van Cortlandt, Van Horn, Van Rensselaer, Verplanck, Wharton, Whitehill, Wilbour, Williams, A. Wilson, N. Wilson, Winn—118.

"Nays—Messrs. Gardenier, Hoge.—2.

This vote, so far as respects those gentlemen in the affirmative, decides the question on the justice of hostilities. That war, if ever justifiable, is justifiable to prevent "*a sacrifice of the rights, honor, and independence*" of a nation, cannot be doubted. And as we were reduced to the alternative—war, or a submission to the orders in council, which, according to those gentlemen, was *a sacrifice of the rights, honor, and independence of the United States*—it indisputably follows, that the war was just and proper in the opinion of the above majority. It is impossible to withstand this inference.

Here I make a solemn pause. These orders in council were, as we have seen, one of the most prominent grounds of war. I have established their existence and their flagitious injustice at the time of that declaration. Yet the senate of Massachusetts has declared that "*the war was founded in falsehood.*"

When I stated *the enormous transit duty* the British ministry attempted to collect for *permission to trade with France*, I mentioned, that to such an extravagant length was their violation of our neutral rights and of our independent sovereignty carried, that, wonderful to tell, they affected to consider the permission to trade on these terms as a special favour. Lest the reader might doubt or disbelieve this astonishing, this monstrous, this unparalleled fact, I give him the most unequivocal authority—the celebrated Francis James Jackson. This gentleman, in a letter to the secretary of state, dated Oct. 11, 1809, expressly states—

"*The option given to neutrals to trade with the enemies of*

Great Britain through British ports, ON PAYMENT OF A TRANSIT DUTY, was originally devised and intended as a MITIGATION of what is certainly more correct, but more rigid in principle—the total and unqualified interdiction of all trade with the enemy!!!

No man who has the least regard to his character—who is not deprived by faction and party violence of the moral sense—after a perusal of the preceding observations and facts, can hesitate what sentence to pronounce on the accusation, that “the war was founded in falsehood.”

CHAP. XXX.

Enquiry into the justice of the war continued. A clear, explicit and unanswerable defence of it, on the ground of impressment alone, independent of all the other grievances, by the unexceptionable testimony of the hon. James Lloyd, Esq. of Massachusetts.

Impressment.

Of the enormity of this horrible grievance, which cries to heaven for vengeance, I have given such copious details in chapters 20, 21, 22, that I need not enter deeply into it here.

That it was ample and adequate cause of war, no man can deny, who reads the letter from commodore Rodgers—the certificate of lieutenant Hoffman, page 196, and the extract from the logbook of the Guerriere, whereby it is indisputably established that there were no less than the enormous number of forty-eight American impressed seamen on board four British vessels.

I must once more beg leave to introduce to the reader, James Lloyd, Esq. When I shelter myself under such authority as Messrs. Otis, Pickering, Lloyd, &c. I deem myself impregnable.

Extract from the hon. James Lloyd's letter to the hon. Mr. Perkins.

“If Great Britain did claim and exercise the right to impress into her service the real, bona fide, native citizens of the United States,

an interminable war with her, or with all the nations of the earth (if it could not be otherwise prevented) might be alike just, necessary, and commendable. The ocean, for the use of the great family of mankind, should own no chartered privileges. In a time of neutrality, while abstaining from injury to others, it should be as free as air, to all who navigate it, and the **IMPRESSMENT OF A NATIVE AMERICAN CITIZEN**, **innocent of crime**, and **owing elsewhere no primary or paramount allegiance**, **and prosecuting a lawful commerce**, **in a vessel of his own country**, is, as it respects the individual, and **as it regards an infringement of rights**, **as gross a violation as if he were arrested, torn and transported into slavery from his paternal roof, or domestic altar.**" Boston Centinel, March 6, 1813.

The mind glows with animation on reading these noble, these dignified, these manly sentiments, worthy of the most illustrious of the heroes of the revolution! What a wonderful contrast between them and the groveling report of the committee of the legislature of Massachusetts! This single extract is sufficient to justify the war, were there no other ground than impressment alone.

From the commencement of the French revolutionary war till the declaration of hostilities took place, our vessels were arrested wherever met with by British vessels of war—the crews overhauled—the British captains seized whom they pleased, and enslaved them at their discretion—as they were, in the strong language of Cobbet—"ACCUSERS, WITNESSES, JUDGES, AND CAPTORS."

England would have made war against all the nations of Europe in succession, had they dared to impress her seamen. And what right had she to claim a religious veneration for her flag, when she was in the daily practice of violating ours in the grossest manner?

I request the reader's attention to this subject. Mr. Lloyd unites "*the claim and the exercise.*" The former is of no importance in itself, and does not affect the question. Suppose England "*claims a right*" to all our vessels—to our territory—to our persons—it is no cause of war. But the moment she attempts "*to exercise the right*" to seize any of them, resistance becomes a duty.

It thus appears, that the expression "claim" is mere verbiage. I do by no means believe it was employed to delude the reader. But I do aver that such is its effect.

§ "The exercise" then by "Great Britain of the right to impress into her service § the real bona fide native citizens of the United States § would, by the explicit declaration of James Lloyd, justify an interminable war with her."

The question, reader, is reduced within a narrow compass. It only remains to be ascertained whether "she exercised" this execrable "right of impressment" of "real bona fide citizens" or not. If she did, the war, according to Mr. Lloyd, is just. To prove the fact beyond the possibility of doubt, I call in pretty high authority. I will give up for a moment my own calculation of 6600—the secretary's statement of 6700—I give up Lord Castlereagh's admission of 1600.* I will rely upon the committee of the legislature of Massachusetts and upon the reverend Mr. Taggart, member of congress from that state.

The latter admits there were three hundred impressed American seamen on board the British navy on the declaration of war. And a committee of the house of representatives of Massachusetts, (§ "as far as their enquiries went") admit that there were eleven impressed natives of the state on board that navy.

I proceed logically. As "the exercise of the right" of impressing the § "real bona fide native citizens of the United States into the service of Great Britain, would justify an § *interminable war with her or all the nations of the world*,"—and as we have clearly established that there were § at all events 311 native citizens of the United States so impressed—it follows that Mr. Lloyd must justify the present war—and will not dare to assert that it is "*founded in falsehood*."

Before I close the subject, I beg leave to introduce higher personages on the stage.

* Lord Castlereagh in the British parliament, I believe, admitted this number.

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The Prince Regent has, as I have stated, publicly declared that "it is known to the world that this country [Great Britain] was not the aggressor in this war."

And the lords of the admiralty, in their proclamation, dated April 1814, (see page 46,) express their regret on the subject of "the *unprovoked aggression of the American government in declaring war after all the causes of its original complaint had been removed.*"

To enter the lists against such formidable antagonists, is really presumptuous and daring. But I venture to assert, and hope I have proved, that the war was not "founded in falsehood;"---that Great Britain was notoriously "the aggressor;" and that none of "the original causes of complaint had been removed" previous to the declaration of war.

CHAP. XXXI.

Character of merchants by Edmund Burke. Illiberal and unfounded. Merchants as various in character as other classes of men. American merchants shrewd and intelligent. Most lamentably blinded by faction to their dearest interests. Example of England worthy of imitation. Struggles between ins and outs. All unite against common enemy. American factions more deleterious than those in England.

Edmund Burke* has left on record a most unfavourable character of merchants, which has been a thousand times quoted to their disparagement. He has, if my memory do not deceive me, asserted that they have no national attachments or patriotism---that their ledger is their Bible---and gold their God.

This character is unjust and illiberal, like all other sweeping denunciations of entire classes. The merchants are as various in their characters as any other description of men. There are among them numbers of persons of the highest respectability---great patriotism---a high sense

* In the first edition of this work, I erroneously ascribed these sentiments to Adam Smith.

of honour---great liberality---and possessing all the other virtues that can adorn the human character. There are likewise others as base and vile as the former are excellent.

There is nothing in mercantile affairs, or commerce, that has a tendency to deteriorate those who follow the profession. It is hard to conceive how it should be otherwise. The large scale on which their affairs are conducted, appears rather calculated to expand than to liberalize the mind.

Moreover, a considerable portion of them having enjoyed the advantages of the best education, must, from that circumstance alone, have a fair chance of not meriting the denunciation of Edmund Burke.

That the American merchants are in general shrewd, intelligent, and penetrating, cannot be denied. They are, in these respects, at least on a level with the merchants of any other country.

It must, however, be acknowledged, that in the course they have steered from the commencement of the year 1806, till the declaration of war, they have been as lamentably blind to their own vital interests and to the highest interests of their country, as if they were almost altogether deficient of the reasoning faculty. They have inflicted incalculable injury on both. Indeed so intimately in this case were these interests connected, that both were, and must necessarily be, equally affected by the same wound. I hope to make this appear to their conviction and that of the public.

By a recurrence to the 5th, 6th, 7th, 8th, 9th and 10th chapters of this work, the reader will see that the mercantile part of the community felt the highest indignation in 1806, at the pretensions of England to limit the American trade in the colonial productions of her enemies; that they very strongly remonstrated with the government to resist those pretensions; and that *they pledged themselves to their country and to the world, to support the government in whatever measures might be ne-*

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cessary to obtain redress—obviously, evidently, and undeniably meaning even the ultima ratio gentium.

The pacific measures adopted to effect the object of their desires were—a prohibition of the importation of some of the most important of the manufactures of Great Britain—an embargo, when the injuries of that nation had been vastly increased—and non-intercourse.

Did the American merchants redeem their pledge? Did they preserve their faith? Did they support the government in all or any of these measures?

No. They indubitably did not. There is not a candid federalist from New-Hampshire to Georgia, that will assert, that the merchants, as a body, supported the government in any one of these measures. I say distinctly, *as a body*. There were illustrious exceptions. But the fidelity of these exceptions in redeeming their pledge was unavailing. *The pledge was forfeited by the body—completely forfeited.*

The clear, indisputable, and dishonourable fact is, that after having impelled and goaded the government into measures to procure redress, they not merely withheld their support from those measures, but actually as far as depended on them, prevented their success. They hung hostilely on the skirts of the government, and defeated the embargo, non-intercourse, and all the other restrictive measures.

I have thus far considered the point as it respected their plighted faith, and the obligation they were thereby under to support the government in measures which had arisen out of their memorials, remonstrances, and solemn pledges.

I now enter on the consideration of their conduct, as it demonstrates an unparalleled blindness towards their own interests and those of their country.

Whatever misjudging prejudice, or furious faction, devotion to England, or hostility to France may pretend, the solemn fact is, that the United States were most grievously outraged and injured by Great Britain. The violence or excesses of France, afforded no justifi-

cation to those of her enemy. "Retaliation," in the words of Mr. Bayard and Mr. Lloyd, "was A MERE PRETENCE." If *A* robs me of my hat, it does not follow that *B* has a right to retaliate on *HIM*, by robbing *ME* of my coat or waistcoat. And still less, if *A* threatens to rob me, but has not the power to do it, has *B* the right to retaliate on him by robbing me. France pretended to blockade England, and seize neutral vessels bound there—but was utterly unable to effect her purposes. England retaliated upon France by seizing OUR VESSELS bound to that country; and persevered in that lawless course for entire years, having depredated on the United States to the amount of millions, and with every species of aggravation, of which such an outrage is susceptible—and all was done to punish France, whom she was at the same time supplying with our productions herself!!! There is not in the history of the world any thing more gross or less defensible.

When we are laid in our graves, and our factions and convulsions are buried in oblivion, posterity will pass a heavy sentence of condemnation upon these odious, these oppressive transactions. I am sure such is the decision of all impartial and unprejudiced men in Europe. I would forfeit a world, were I possessed of one, if this be not Alexander the deliverer's sentiment.

That America has been the aggrieved nation, and England wholly the aggressor, is palpable from one circumstance, that in all the diplomatic intercourse that has taken place between the cabinet of St. James's and that at Washington; the former has hardly ever made the slightest complaint of injustice against the latter, except occasionally of *partiality towards France*. This, if it mean any thing, must certainly mean that *we bore French depredation, insult, and outrage, more patiently than English outrage, insult, and depredation*. If it have any other meaning, I shall be gratified to have it demonstrated.

France had one solid, substantial, and most important cause of complaint, to which England had no pretence whatever. *Our commercial marine was a constant nursery for Great Britain, to supply her navy per fas nefasque, with seamen to annoy and distress her enemy.* Thus we uniformly submitted from 1792 to 1812, to have our neutrality violated, to the material benefit of one belligerent and extreme injury of the other.

It will not, from the premises, be denied, that from the declaration of war between France and England, the latter power constantly made inroads upon us—and we as constantly sought redress—and that our principal grievances were the outrages practised on our seamen, and the unceasing and intolerable infringement of our commercial rights and privileges.

Under this view of the case, the correctness of which will not, I trust, be disputed, what course ought an enlightened body of merchants to steer?

Suppose them patriotic and public spirited; a regard to the national honour and interest would impel them to uphold the government of their own country in a struggle against the lawless outrages of a foreign nation. But suppose them base, sordid, selfish, avaricious, and without a single spark of patriotism, public spirit, or liberality, ought not their very selfishness dictate the same course? How could they fail to see that every step they took to harass, to cripple, to embarrass their own government, was a step towards enabling the foreign and aggressing nation to triumph over their country, and to enforce its claims, to the manifest and immense injury of their most vital interests? I should pity the fatuity of a lad who had been but six weeks in a counting house, and did not at once perceive the cogency of these arguments. This point is clear, and plain, and convincing, in theory: But it does not rest on theory. We have a strong and practical illustration of it by our own melancholy experience, an illustration that the merchants of this country will long have cause to de-

plore. By the Jacobinical and disorganizing combinations to oppose the measures calculated to procure redress, England was enabled to enforce the orders in council for four years and a half, whereby, for sixteen months, she cut off our trade with all Europe but Sweden and her own dependencies, that is to say, she forbade us to trade with about *one hundred and thirty millions of the people of Europe*;—and, for the remainder of the time, when she somewhat relaxed her orders, *with at least fifty millions*.

Never has the sun in his course beheld such transcendent, such lamentable, such irreparable folly as the merchants of the United States have been guilty of in this instance. Throughout the whole of the arduous conflict between the United States and Great Britain, *they have constantly, and invariably, and most energetically thwarted, and harassed, and embarrassed the government*. They have defended the conduct of Britain throughout—and as constantly laboured, in the face of reason, justice, and common sense, to put their own nation in the wrong. And for what end? *To serve the purposes of party; to enable a few ambitious men, who were out of office, and panted to get in, to accomplish this object*.

I once more wish to qualify these observations. There were here, as in a former case, splendid exceptions among the merchants, men who displayed the most exalted patriotism. These exceptions do not invalidate the rule. I speak of the merchants as a body;—for it is thus only they can be considered in such a discussion as the present;—as their operations on the government and nation were felt—and more particularly as they acted in the east.

Any one of the three pacific measures adopted by this government, had it been properly supported by the mercantile interest, would have obliged Great Britain to redress our wrongs and very speedily. We should then have enjoyed an unshackled commerce. And had our merchants, either from patriotism or selfishness, suffered a short temporary privation of

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business, they would have been repaid by a tenfold harvest of most lucrative commerce. But faction led them astray. They rendered wholly nugatory all the measures adopted to guard their interests and to extort justice for their wrongs. Great Britain was thus encouraged to proceed in her aggressions; and this led to a wasting war, of which it is impossible to calculate the consequences. But for this hostile opposition of the mercantile class, we should have easily escaped its ravages.

In all the wild, frantic, and fatuitous career of faction, from the earliest records of time to the present day, I believe there is no parallel case. Never did an intelligent, enlightened body of men, make so immense, so wanton, so irrecoverable a sacrifice of their dearest interests, and so completely contrary to the dictates of reason and common sense.

✚ If Belzebub or Lucifer held the reins of government, policy and self interest would dictate that in all contests with foreign nations, he ought to be supported unless most manifestly and egregiously unjust. ✚ Public spirit and selfishness equally combine to enforce this precept.

How transcendently superior Great Britain towers over us, in this respect! What a sublime lesson she holds out—what a noble example she offers us to follow!

Fus est ab hoste doceri.

England is torn by faction like America. There is a constant struggle between the incumbents in office and those who pant after the seats they fill. But whenever the honour or vital interest of the nation is at stake, party in a great measure dies away or becomes incapable of injuring the common cause—all unite under the national standard—and, till the end in view is accomplished, distinctions are almost wholly lost in the one common designation, supporters of their country's interest and honour.

Not so in America. It is a fatal truth, that at the present moment when not merely our interest, and our

honour, but even our very salvation is jeopardized, *faction rages in many places with unabated violence*; and wicked men are incessantly employed in exciting our citizens to embrue their hands in the blood of their countrymen,* instead of preparing to oppose a vindictive enemy. May the God of peace and love, dispel the clouds that impend over us—banish our discords—and once more unite us in the bonds of harmony and charity towards each other. Amen.

CHAP. XXXII.

Turbulence of Boston. Boston acts on Massachusetts. Massachusetts acts on the rest of New-England. Jealousies and discord sedulously excited. Hateful picture of the southern states. Commercial and anti-commercial states. Enquiry into the claims of New England. Yankeeism. Moral and religious people.

Boston, the metropolis of Massachusetts, has been, for a long period, and more particularly since the close of the reign of federalism, the seat of discontent, complaint and turbulence. It has been itself restless and uneasy—and has spread restlessness and uneasiness in every direction. It has thwarted, harassed, and embarrassed the general government, incomparably more than all the rest of the union together.

Whatever difficulty or distress has arisen from the extraordinary circumstances of the times—and great difficulty and distress were inevitable—has been aggravated and magnified to the highest degree, for the purpose of inflaming the public passions. The leaders in this business were clamorous, when we were at peace in 1793 and in 1806, for war against England, on account of her depredations on their commerce. They were equally clamorous, as we have seen, in

* This is the inevitable tendency, although not the declared purpose of a very considerable number of the publications in certain newspapers.

1803 for war against Spain, on account of the right of deposit at New-Orleans, and denounced, in the most virulent stile, the imbecility and cowardice of the government. From the moment, when war was declared, they have clamoured for peace, and reprobated the war as wicked, unjust, and unnecessary, although the causes of war were incomparably greater in 1812, than in 1793, 1803, or in 1806. They have created difficulty and obstruction in the prosecution of the war; and *reprobate the administration for imbecility in carrying it on.* They have, as I shall prove, reduced the government to bankruptcy; and *reproach it for its necessities and embarrassments.* In a word, all their movements have had and still have but one object, to enfeeble and distract the government—and this object has been too successfully attained.

With a population of only 33,000 inhabitants, and with a commerce quite insignificant, compared with that of New York, Philadelphia, Baltimore, or Charleston, Boston has, by management and address, acquired a degree of influence beyond all proportion greater than its due share—greater in fact than the above four cities combined—a degree of influence which has been exercised in such a manner as to become dangerous to public and private prosperity and happiness, and to the peace and permanence of the union. It has brought us to the very verge of its dissolution, and threatens us with the awful consequence—a civil war.

The movers of this mighty piece of machinery—this lever that puts into convulsive motion the whole of our political fabric, are few in number.—But they are possessed of inordinate wealth—of considerable talents—great energy—and overgrown influence. They afford a signal proof how much a few men may effect by energy and concert, more especially when they are not very scrupulous about the means, provided the ends are accomplished. A northern confederacy has been their grand object for a number of years. They have repeatedly advocated in the public prints a separation

of the states, on account of a pretended discordance of views and interests of the different sections.

This project of a separation of the states was formed shortly after the adoption of the constitution. Whether it was ventured before the public earlier than 1796, I know not. But of its promulgation in that year, there is the most indubitable evidence. A most elaborate set of papers was then published at the city of Hartford, in Connecticut, the joint production of an association of men of the first talents and influence in the state. They appeared in the Connecticut Courant, published by Hudson and Goodwin, two eminent printers, of, I believe, considerable revolutionary standing. There were then none of the long catalogue of grievances, which, since that period, have been fabricated to justify the recent attempts to dissolve the union. General Washington was president; John Adams, an eastern citizen, vice-president. There was no French influence—no Virginia dynasty—no embargo—no non-intercourse—no terrapin policy—no democratic madness. In fine, every feature in the affairs of the country was precisely according to their fondest wishes.

The essays of Pelham were republished in Philadelphia in a paper called the New World, edited by Mr. S. H. Smith.

To sow discord, jealousy, and hostility between the different parts of the union, was the first and grand step in their career, in order to accomplish the favourite object of a separation of the states.

In fact, without this efficient instrument, all their efforts would have been utterly unavailing. It would have been impossible, had the honest yeomanry of New-England continued to regard their southern fellow-citizens as friends and brethren, having one common interest in the promotion of the general welfare, to make them instruments in the hands of those who intended to employ them to operate the unholy work of destroying the noble, the august, the splendid fabric of our union and unparalleled form of government.

For eighteen years, therefore, the most unceasing endeavours have been used to poison the minds of the people of the eastern states towards, and to alienate them from, their fellow citizens of the southern. The people of the latter section have been portrayed as demons incarnate, and destitute of all the good qualities that dignify or adorn human nature—that acquire esteem or regard—that entitle to respect and veneration. Nothing can exceed the virulence of these caricatures, some of which would have suited the ferocious inhabitants of New Zealand, rather than a civilized or polished nation.

To illustrate, and remove all doubt on, this subject, I subjoin an extract from one of Pelham's essays.

"Negroes are, in all respects, except in regard to life and death, the cattle of the citizens of the southern states. *If they were good for food, the probability is, that even the power of destroying their lives would be enjoyed by their owners, as fully as it is over the lives of their cattle.* It cannot be, that their laws prohibit the owners from killing their slaves, because those slaves are human beings, or because it is a moral evil to destroy them. If that were the case, how can they justify their being treated, in all other respects, like brutes? for it is in this point of view alone, that negroes in the southern states are considered in fact as different from cattle. They are bought and sold—they are fed or kept hungry—they are clothed, or reduced to nakedness—they are beaten, turned out to the fury of the elements, and torn from their dearest connections, with as little remorse as if they were beasts of the field."

Never was there a more infamous or unfounded caricature than this—never one more disgraceful to its author. It may not be amiss to state, and it greatly enhances the turpitude of the writer, that at the period when the above was written, there were many slaves in Connecticut, who were subject to all the disadvantages that attended the southern slaves.

Its vile character is further greatly aggravated by the consideration that a large portion of these very negroes, and their ancestors, had been purchased, and rent from their homes and families by citizens of the eastern states, who were actually at that moment, and long afterwards, engaged in the Slave Trade.

The unholy and demoniac spirit that inspired the writer of the above vile libel, has been, from that hour to the present, incessantly employed to excite hostility between the different sections of the union. To such horrible lengths has this spirit been carried, that many paragraphs have occasionally appeared in the Boston papers, intended and calculated to excite the negroes of the southern states to rise and massacre their masters. This will undoubtedly appear incredible to the reader. It is nevertheless sacredly true. It is a species of turpitude and baseness of which the world has produced few examples.

Thus some progress was made. But it was inconsiderable. While the yeomanry of the eastern states, were enriched by a beneficial commerce with the southern, they did not feel disposed to quarrel with them for their supposed want of a due degree of piety or morality.

A deeper game was requisite to be played, or all the pains taken so far would have been wholly fruitless. And this was sedulously undertaken. The press literally groaned with efforts to prove five points, wholly destitute of foundation.

First, That the eastern states were supereminently commercial.

Secondly, That the states south of the Patowmac, were wholly agricultural.

Thirdly, That there is a natural and inevitable hostility between commercial and agricultural states.

Fourthly, That this hostility has uniformly pervaded the whole southern section of the union. And,

Fifthly, That all the measures of congress were dictated by this hostility; and actually intended to ruin the commercial, meaning the eastern states.

I do not assert that these positions were ever laid down in regular form, as theses to argue upon. But I do aver, that they form the basis of three fourths of all the essays, paragraphs, squibs, and crackers, that have appeared in the Boston papers against the administration for many years past. "The Road to Ruin," ascribed to John

Lowell, now before me, is remarkable for its virulence, its acrimony, its intemperance, and for the talents of the writer. He undoubtedly places his subject in the strongest point of light possible for such a subject. But if you extract from his essays, the *petitio principii* of these positions, all the rest is a mere *caput mortuum*—all “sound and fury.” On these topics the changes are rung in endless succession. The same observation will apply and with equal force, to hundreds and thousands of essays and paragraphs, written on the same topic.

Never was the—*gutta non vi, sed sæpe cadendo*—more completely verified. These positions, however absurd, however extravagant, however ridiculous they appear in their naked form, have, by dint of incessant repetition, made such an impression upon the minds of a large portion of the people of the eastern states, that they are as thoroughly convinced of their truth, as of any problem in Euclid.

Boston having acted upon and inflamed Massachusetts, that state has acted upon, and put in movement the rest of the eastern states, more particularly Connecticut and Rhode Island. New Hampshire and Vermont are but partially infected with the turbulent and jacobinical spirit that predominates in Massachusetts.

It thus happens, that a people proverbially orderly, quiet, sober, and rational, have been actually so highly excited as to be ripe for revolution, and ready to overturn the whole system of social order. A confederacy has been formed, which, as I have stated, and as cannot be too often repeated, promises fair to produce a convulsion—a *dissolution of the union*—and a *civil war*, unless the seduced people of that section of the union can be recovered from the fatal delusion they labour under, and restored to their reason.

I shall very briefly, and without much attention to order or regularity, consider these positions. They are not entitled to a serious refutation, but merely as they have been made the instruments of producing so much mischief.

Before I touch upon the commercial points, I shall offer a few observations on the high and exalted pretensions of the people of the eastern states to superior morality and religion over the rest of the union. There has not been, it is true, quite so much parade with these exclusive claims as on the subject of commerce. Perhaps the reason is, that there was no political purpose to be answered by them. But that the people of that section of the union are in general thoroughly persuaded that they very far excel the rest of the nation in both religion and morals, no man who has been conversant with them can deny. This folly of self righteousness, of exalting ourselves above others, is too general all over the world; but no where more prevalent, or to greater extent, than in the eastern states. To pretend to institute a comparison between the religion and morals of the people of Boston and those of Philadelphia, New York, or Baltimore, would be regarded as equally extravagant and absurd, with a comparison of the gambols of a cow to the sprightly and elegant curvetings of an Arabian courser. The Rev. Jedediah Morse has in some degree devoted his geography to, and disgraced it by, the perpetuation of this vile prejudice. Almost every page that respects his own section of the union is fraught with encomium. He colours with the flattering tints of a partial and enamoured friend. But when once he passes the Patowmac, what a hideous reverse!—Almost every thing is there frightful caricature. Society is at a low and melancholy ebb, and all the sombre tints are brought forward to elevate, by the contrast, his favourite Elysium, the eastern states. He dips his pen in gall when he has to pourtray the manners or habits, or religion of Virginia or Maryland, either of the Carolinas or Georgia, or of the western country.

I should enter far into the consideration of this procedure of Mr. Morse, but that it has been ably

discussed by a superior pen. The editor of the *Port Folio*, himself a decided federalist, reprobates, and pronounces a just and eternal condemnation on the illiberality of making a school, or indeed any other book, a vehicle to excite animosities between fellow citizens of different portions of the same nation.

The character of the eastern states for morality has been various at various times. It was, not long since, at a very low ebb indeed. It is within the memory of those over whose chins no razor has ever mowed a harvest that Yankee and sharper were regarded as nearly synonymous. And this was not among the low and illiberal, the base and vulgar. It pervaded all ranks of society. In the middle and southern states traders were universally very much on their guard against Yankee tricks when dealing with those of the eastern.

They now arrogate to themselves, (and, for party purposes, their claims are sometimes admitted by their political friends,) to be, as I have stated, a superior order to their fellow citizens. They look down on those of the southward with as much contempt, and with as much foundation too, as the Pharisee of old did on the despised publican.

Both of these views are grossly erroneous. They never were so vile as they were formerly believed. They had, it is true, many worthless miscreants among them, who, on their migration to the other states, were guilty of base tricks, which, by an illiberality disgraceful to our species, but nevertheless very common, were charged to the account of the entire people of the eastern states, and brought them under a most undeserved odium.

I feel a pride and pleasure in doing justice to the yeomanry of the eastern states. They will not suffer on a comparison of the same class of men in any part of the world. They are upright, sober, orderly, and regular—shrewd, intelligent, and well informed—and I believe there is not a greater degree of genuine native urbanity among the yeomanry of any country under the canopy of heaven. And it is lamentable and unaccount-

table how they have allowed themselves to be so egregiously duped as they have been. I have known them long: and my respect for them has gradually increased in proportion as my knowledge of them extended. But I shall never admit any exclusive or supereminent claim to the virtues which I know they possess. And I have no hesitation in averring, that although Boston, or Hartford, or Newhaven, may exhibit rather more *appearance* of religion and piety, than New York, or Philadelphia, or Baltimore, yet the latter cities possess as much of the *reality*. It would astonish and frighten many of the pious people in New York or Philadelphia to be informed—but they may nevertheless rely upon the information as indubitably true—that a large portion of the clergy in the town of Boston, are absolute Unitarians; and scout the idea of the divinity of Jesus Christ as completely and explicitly as ever Dr. Priestley did. This is a digression. I did not intend to introduce it. But since it is here, let it remain. And let me add, that the present principal of Harvard College was known to be an Unitarian when he was elected. This fact establishes the very great extent and prevalence of the doctrine.

The high and founding pretensions of the eastern states on the subject of commerce have been almost universally admitted. No person has ever thought it worth while to examine into the actual state of the facts. It has been presumed, that, in a matter where falsehood and deception were so easily detected, such confident assertions would not be hazarded, unless they rested on a strong foundation. And in drawing the line of demarcation between the eastern states and the rest of the union, in the minds of the mass of the community, all to the north and east of the line was regarded as devoted exclusively to commerce—all to the south and west, chiefly to agriculture.

It is hardly possible to conceive a greater mistake.—The reader will be astonished at the view I shall lay before him. I have been inexpressibly surprised myself, and even now can hardly credit my own statements. They are nevertheless indisputable.

A

Table of Exports from the United States of FOREIGN and DOMESTIC productions and Manufactures from 1791 to 1802 Carefully extracted from the treasury returns.

	<i>Massachusetts.</i>	<i>New York.</i>	<i>Pennsylvania.</i>	<i>S. Carolina.</i>
1791	\$ 2,519,000	2,505,000	3,436,000	2,693,000
1792	2,888,000	2,535,000	3,820,000	2,428,000
1793	3,755,000	2,932,000	6,958,000	3,191,000
1794	5,292,000	5,442,000	6,643,000	3,867,000
1795	7,117,000	10,304,000	11,518,000	5,992,000
1796	9,949,000	12,208,000	17,513,000	7,620,000
1797	7,502,000	13,308,000	11,446,000	6,505,000
1798	8,639,000	14,300,000	8,915,000	6,994,000
1799	11,421,000	18,719,000	12,431,000	8,729,000
1800	11,326,000	14,045,000	11,949,000	10,663,000
1801	14,870,000	19,851,000	17,438,000	14,304,000
1802	13,492,000	13,792,000	12,677,000	10,639,000
	98,770,000	129,941,000	124,744,000	83,631,000
	<i>Maryland.</i>	<i>Connecticut.</i>	<i>Rhode Island.</i>	<i>Virginia.</i>
1791	\$ 2,239,000	710,000	470,000	3,131,000
1792	2,623,000	879,000	698,000	3,552,000
1793	3,665,000	770,000	616,000	2,987,000
1794	5,686,000	812,000	954,000	3,321,000
1795	5,811,000	819,000	1,222,000	3,490,000
1796	9,201,000	1,452,000	1,589,000	5,268,000
1797	9,811,000	814,000	975,000	4,908,000
1798	12,746,000	763,000	947,000	6,113,000
1799	16,299,000	1,143,000	1,055,000	6,292,000
1800	12,264,000	1,114,000	1,321,000	4,430,000
1801	12,767,000	1,446,000	1,832,000	5,655,000
1802	7,914,000	1,606,000	2,433,000	3,978,000
	101,026,000	12,328,000	14,113,000	53,125,000
	<i>Georgia.</i>	<i>New Hampshire.</i>	<i>Vermont.</i>	<i>N. Carolina.</i>
1791	\$ 491,000	142,000		524,000
1792	459,000	181,000		527,000
1793	520,000	198,000		365,000
1794	263,000	153,000		321,000
1795	695,000	229,000		492,000
1796	950,000	378,000		671,000
1797	644,000	275,000		540,000
1798	961,000	361,000		537,000
1799	1,396,000	361,000	20,000	485,000
1800	1,174,000	431,000	57,000	769,000
1801	1,755,000	555,000	57,000	874,000
1802	1,850,000	565,000	31,000	659,000
	11,162,000	3,829,000	165,000	6,764,000

Comparative views of the exports from the different states, of foreign and domestic articles, from 1791 to 1802, inclusive. See Table A.

N. B. In the preceding table of exports, the figures below thousands are uniformly omitted, as not material to the calculation—and affecting equally both sides of the question.

I. Maryland exported eight times as much as Connecticut; seven times as much as Rhode-Island; more than “the great commercial state” of Massachusetts; and nearly as much as Massachusetts, New-Hampshire and Vermont united.

Maryland	-	-	-	-	-	101,026,000
Massachusetts	-	-	-	-	98,779 000	
New-Hampshire	-	-	-	-	3,829,000	
Vermont	-	-	-	-	165,000	
						102,764 000
Connecticut	-	-	-	-	-	12,528,000
Rhode-Island	-	-	-	-	-	14,113,000

II. Maryland exported above three times as much as New-Hampshire, Vermont, Connecticut and Rhode-Island.

Maryland	-	-	-	-	-	101,026,000
New-Hampshire	-	-	-	-	3,829 000	
Vermont	-	-	-	-	165,000	
Connecticut	-	-	-	-	12,528 000	
Rhode-Island	-	-	-	-	14,113 000	
						30,435,000

III. South Carolina exported nearly six times as much as Rhode-Island; seven times as much as Connecticut; above twenty times as much as New-Hampshire; 500 times as much as Vermont; and one hundred and sixty per cent. more than those four states

South Carolina	-	-	-	-	-	83,631 000
New Hampshire	-	-	-	-	3,829 000	
Connecticut	-	-	-	-	12,528 000	
Rhode-Island	-	-	-	-	14,113 000	
Vermont	-	-	-	-	165,000	
						30,435,000

IV. Virginia exported nearly fifty per cent more than the four minor eastern states.

Virginia	53,125,000
New Hampshire, Vermont, Connecticut, &c. See No. 2.	30,435,000

V. Virginia and South Carolina exported 8 per cent more than the five "*great commercial states*."

Virginia	53,125,000	
South Carolina	83,631,000	
		136,756,000
Massachusetts	38,770,000	
New Hampshire, Vermont, &c. See No. 2.	30,435,000	
		129,205,000

VI. North Carolina exported fifty per cent more than New-Hampshire and Vermont.

North Carolina	- - - - -	6,764,000
New Hampshire	- - - - -	3,829,000
Vermont	- - - - -	165,000
		3,994,000

VII. Georgia exported nearly as much as Connecticut.

Georgia	- - - - -	12,162,000
Connecticut	- - - - -	12,328,000

VIII. The five southern states exported nearly twice as much as the five eastern states.

Maryland	- - - - -	101,026,000
Virginia	- - - - -	53,125,000
North-Carolina,	- - - - -	6,764,000
South Carolina	- - - - -	83,631,000
Georgia	- - - - -	1,2162,000
		256,708,000
Five eastern states, see No. 5.		129,205,000

IX. Pennsylvania exported nearly as much as the "five boasted commercial eastern states."

Pennsylvania	- - - - -	124,744,000
Five eastern states, see No. 5.	- - - - -	129,205,000

B
*Table of Exports from the United States of Foreign productions
 and Manufactures from 1803 to 1813.*

	<i>Massachusetts.</i>	<i>New York.</i>	<i>Pennsylvania.</i>	<i>S. Carolina.</i>
1803	\$ 3,369,000	3,191,000	3,504,000	947,000
1804	10,591,000	8,580,000	6,851,000	2,309,000
1805	13,738,000	15,384,000	9,397,000	3,108,000
1806	14,577,000	13,709,000	13,809,000	2,946,000
1807	13,926,000	16,400,000	12,055,000	3,783,000
1808	3,619,000	3,243,000	2,946,000	260,000
1809	6,119,000	4,232,000	4,810,000	385,000
1810	7,251,000	6,313,000	6,241,000	408,000
1811	5,192,000	3,518,000	3,865,000	210,000
1812	2,648,000	2,358,000	1,313,000	11,000
1813	294,000	1,124,000	327,000	53,000
	81,324,000	78,052,000	65,118,000	14,420,000
	<i>Maryland.</i>	<i>Connecticut.</i>	<i>Rhode Island.</i>	<i>Virginia.</i>
1803	\$ 1,371,000	10,000	611,000	151,000
1804	5,213,000	29,000	817,000	395,000
1805	7,450,000	90,000	1,506,000	660,000
1806	10,919,000	193,000	1,142,000	428,000
1807	10,282,000	105,000	915,000	367,000
1808	1,956,000	15,000	102,000	18,000
1809	4,056,000	11,000	626,000	107,000
1810	3,213,000	5,000	456,000	189,000
1811	2,820,000	38,000	626,000	23,000
1812	1,929,000		150,000	17,000
1813	1,005,000	5,000	2,000	
	50,214,000	501,000	6,953,000	2,355,000
	<i>Georgia.</i>	<i>N. Hampshire.</i>	<i>Vermont.</i>	<i>N. Carolina.</i>
1803	\$ 25,000	51,000	27,000	26,000
1804	74,000	262,000	55,000	9,000
1805	43,000	218,000	67,000	12,000
1806		383,000	102,000	3,000
1807	34,000	314,000	55,000	4,000
1808		2,000	25,000	
1809		85,000	49,000	
1810	3,000	9,000	26,000	2,000
1811	11,000	53,000	558,000	4,000
1812		9,000	131,000	
1813				1,000
	190,000	1,386,000	1,075,000	61,000

*Comparative views of foreign articles, exported from
1803 to 1813. See Table B.*

I. Maryland exported above five times as much as the four minor eastern states.

Maryland	-	-	-	-	-	50,214,000
Connecticut	-	-	-	-	501,000	
Rhode-Island	-	-	-	-	6,953,000	
New Hampshire	-	-	-	-	1,386,000	
Vermont	-	-	-	-	1,075,000	
						9,915,000

II. South Carolina exported twice as much as Connecticut and Rhode Island, ten times as much as New Hampshire, and 40 per cent more than the four minor eastern states.

South Carolina	-	-	-	-	-	14,420,000
Connecticut	-	-	-	-	501,000	
Rhode Island	-	-	-	-	6,953,000	
						7,454,000
New Hampshire	-	-	-	-	-	1,386,000
Four minor eastern States, No. 1.	-	-	-	-	-	9,915,000

III. Maryland and South Carolina exported 80 per cent of the amount exported by Massachusetts.

Maryland	-	-	-	-	50,214,000	
South Carolina	-	-	-	-	14,420,000	
						64,634,000
Massachusetts	-	-	-	-	-	81,314,000

IV. Virginia exported more than Connecticut and New Hampshire.

Virginia	-	-	-	-	-	2,355,000
Connecticut	-	-	-	-	501,000	
New Hampshire	-	-	-	-	1,386,000	
						1,887,000

en productions

S. Carolina.
947,000
2,309,000
3,108,000
2,946,000
3,783,000
260,000
385,000
408,000
210,000
11,000
53,000

14,420,000

Virginia.
151,000
395,000
660,000
428,000
367,000
18,000
107,000
189,000
23,000
17,000

2,355,000

N. Carolina.
26,000
9,000
12,000
3,000
4,000

2,000

4,000

1,000

61,000

C.
*Table of Exports from the United States, of Domestic productions and
 Manufactures, from 1803 to 1813.*

	<i>Massachusetts.</i>	<i>New-York.</i>	<i>Pennsylvania.</i>	<i>S. Carolina.</i>
1803	\$ 5,399,000	7,626 000	4,021 000	6,863 000
1804	6,303,000	7,501 000	4 178,000	5 142 000
1805	5,697,000	8,098 000	4,365 000	5,957 000
1806	6,621,000	8,053 000	3,765 000	6,797 000
1807	6,185,000	9,957 000	4 809,000	7,129 000
1808	1,508,000	2 362 000	1,066 000	1,404 000
1809	6,022,000	8 348 000	4 238 000	2,861 000
1810	5,761,000	10 928 000	4,751 000	4 881 000
1811	6,042,000	8,747 000	5 694 000	4,650 000
1812	3,935,000	6,603 000	4,660 000	2,024 000
1813	1,513 000	7,060 000	3,249 000	2,815 000
	54,986,000	85,283,000	44,796,000	50 523 000

	<i>Maryland</i>	<i>Connecticut.</i>	<i>R. Island.</i>	<i>Virginia.</i>	<i>Georgia.</i>
1803	\$ 3,707 000	1,238,000	664 000	5,949,000	2 345 000
1804	3,938 000	1,486,000	917 000	5,394 000	2,003 000
1805	3,408,000	1,353,000	1,065,000	4,945 000	2,351 000
1806	3,661 000	1,522 000	949 000	4 626 000	82 000
1807	4 016 000	1,519,000	741 000	4,393,000	3 710 000
1808	764 000	397 000	139 000	508 000	24 000
1809	2,570 000	655,000	658 000	2,786 000	1 082 000
1810	3,275 000	762 000	874 000	4 632 000	2 234 000
1811	4 553 000	994 000	944 000	4 798 000	2 551 000
1812	3 956 000	720 000	604 000	2 983 000	1 066 000
1813	2 782 000	968 000	234 000	1,819,000	1 094 000
	36 630,000	11 614 000	7,789 000	42,833,000	18 548 000

	<i>New Hampshire.</i>	<i>Vermont.</i>	<i>N. Carolina.</i>	<i>Orleans.</i>	<i>Columbia.</i>
1803	\$ 443 000	89,000	926 000		1 412 000
1804	453 000	135 000	919 000	1,392 000	1 157 000
1805	589 000	101 000	767 000	2,338 000	1,135 000
1806	411 000	91 000	786 000	2,357 000	1,091 000
1807	365 000	148 000	740 000	3,161 000	1,363 000
1808	122 000	83 000	117 000	537 000	281 000
1809	201 000	125 000	322 000	344 000	681 000
1810	225 000	406 000	401 000	1 753 000	984 000
1811	315 000	32 000	793 000	2,501 000	2,060 000
1812	194 000	7,000	489 000	1,012 000	1 593 000
1813	29 000		795 000	1,013 000	1 387 000
	3,147,000	1,217,000	7,055,000	16,408,000	13,144,000

*Comparative views of domestic articles, exported from
1803 to 1813. See Table C.*

I. South Carolina exported within eight per cent. of the whole amount exported by Massachusetts, and above twice as much as all the rest of the eastern states.

South Carolina	- - - - -	50,523,000
Massachusetts	- - - - -	54,985,000
New Hampshire	- - - - -	3,147,000
Vermont	- - - - -	1,217,000
Connecticut	- - - - -	11,614,000
Rhode Island	- - - - -	7,789,000
		23,767,000

II. Virginia and Maryland exported more than all the eastern states.

Virginia	- - - - -	42,833,000
Maryland	- - - - -	36,630,000
		79,463,000
Massachusetts	- - - - -	54,985,000
Remaining eastern states (See No. 1.)	- - - - -	23,767,000
		78,752,000

III. North Carolina exported almost seventy five per cent. more than New Hampshire and Vermont.

North Carolina	- - - - -	7,055,000
New Hampshire	- - - - -	3,147,000
Vermont	- - - - -	1,217,000
		4,364,000

IV. North Carolina and Georgia exported more than the four minor eastern states.

North Carolina	- - - - -	7,055,000
Georgia	- - - - -	18,548,000
		25,603,000
New Hampshire, Vermont, &c. (No. 1.)	- - - - -	23,767,000

V. Georgia exported twenty per cent. more than Connecticut, New Hampshire and Vermont.

Georgia	- - - - -	18,548,000
Connecticut	- - - - -	11,614,000
New Hampshire	- - - - -	3,147,000
Vermont	- - - - -	1,217,000
		15,978,000

XII. The district of Columbia and Virginia, exported more than Massachusetts.

Columbia	-	-	-	13,144,000	
Virginia	-	-	-	42,833,000	
					55,977,000
Massachusetts	-	-	-	-	54,936,000

XIII. The district of Columbia exported more than Connecticut and Vermont.

Columbia	-	-	-	-	13,144,000
Connecticut	-	-	-	11,614,000	
Vermont	-	-	-	1,271,000	
					12,831,000

XIV. South Carolina and Georgia exported more than Massachusetts, Rhode Island, New Hampshire and Vermont.

South Carolina	-	-	-	50,523,000	
Georgia	-	-	-	18,548,000	
					69,071,000
Massachusetts	-	-	-	54,986,000	
Rhode Island	-	-	-	7,789,000	
New Hampshire	-	-	-	3,147,000	
Vermont	-	-	-	1,217,000	
					67,139,000

XV. South Carolina exported 450 per cent. more than Connecticut; nearly six hundred per cent. more than Rhode Island; and one hundred and fifty per cent. more than these two states.

South Carolina	-	-	-	-	50,523,000
Connecticut	-	-	-	-	11,614,000
Rhode Island	-	-	-	-	7,789,000

XVI. Maryland exported fifty per cent. more than the four minor eastern states.

Maryland	-	-	-	-	36,630,000
Four minor eastern states (No. 1.)	-	-	-	-	23,767,000

XVII. North Carolina and Georgia exported more than the four minor eastern states.

North Carolina	-	-	-	7,055,000	
Georgia	-	-	-	18,548,000	
					25,603,000
Four minor eastern states (No. 1.)	-	-	-	-	23,767,000



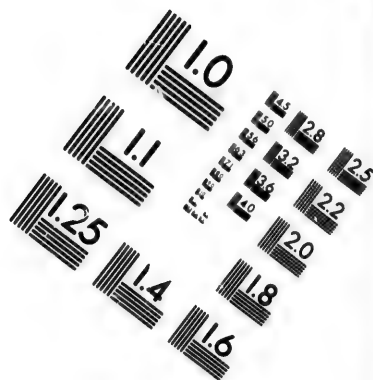
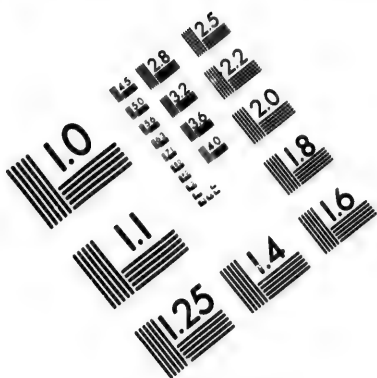
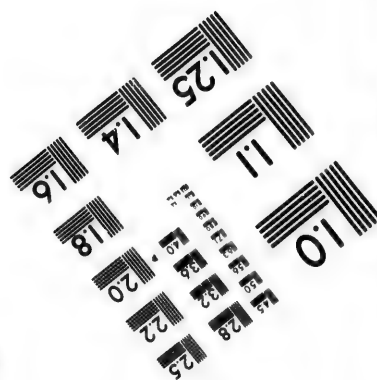
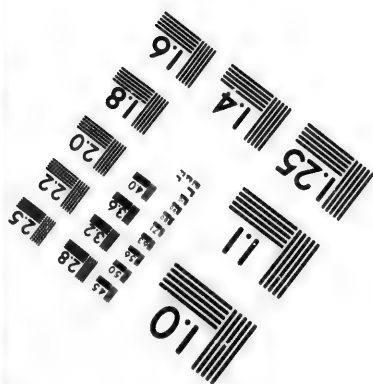
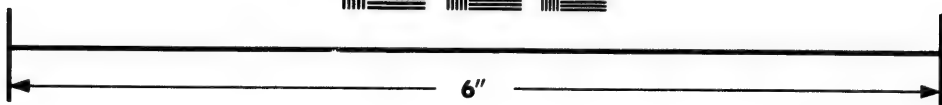
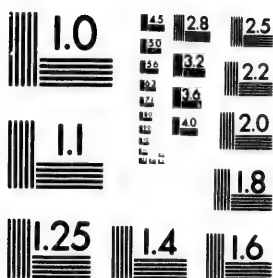


IMAGE EVALUATION TEST TARGET (MT-3)



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XVIII. Georgia alone exported twenty per cent. more than Connecticut, New Hampshire and Vermont.

Georgia	-	-	-	-	-	18,548,000
Connecticut	-	-	-	-	11,614,000	
New Hampshire	-	-	-	-	3,147,000	
Vermont	-	-	-	-	1,217,000	
						15,978,000

XIX. The district of Columbia exported more than Connecticut and Vermont.

Columbia	-	-	-	-	-	13,144,000
Connecticut	-	-	-	-	11,614,000	
Vermont	-	-	-	-	1,217,000	
						12,831,000

XX. South Carolina, Columbia and New Orleans exported more than the five eastern states.

South Carolina	-	-	-	-	50,523,000	
Columbia	-	-	-	-	13,144,000	
New Orleans	-	-	-	-	16,408,000	
						80,075,000
Five eastern states (No. 2.)	-	-	-	-	-	78,752,000

XXI. The five southern states, the district of Columbia, and New Orleans, exported far more than double the amount of the five eastern states, and within ten per cent. as much as the middle and eastern states.

Virginia, Maryland, and South Carolina. (No. 7.)	-	-	-	-	129,986,000	
North Carolina	-	-	-	-	7,055,000	
Georgia	-	-	-	-	18,548,000	
Columbia	-	-	-	-	13,144,000	
Orleans	-	-	-	-	16,408,000	
						185,139,000
Five eastern states (No. 2.)	-	-	-	-	78,752,000	
New York	-	-	-	-	85,283,000	
Pennsylvania	-	-	-	-	44,796,000	
						204,489,000

I am tired of this exposure. I sicken for the honour of the human species. What idea must the world form of the arrogance of the pretensions on the one side—and, on the other, of the folly and weakness of the rest of the union to have so long suffered them to pass without exposure to detection!

The naked fact is, that the demagogues in the eastern states, not satisfied with deriving all the benefits from the southern states, that they would from so many wealthy colonies—with making princely fortunes by the carriage and exportation of their bulky and valuable productions—and supplying them with their own manufactures, and the manufactures and productions of Europe, and the East and West Indies, to an enormous amount, and at an immense profit—have uniformly treated them with outrage, insult, and injury. Regardless of her vital interests, the eastern section of the union is courting her own destruction, by allowing a few restless, turbulent men to lead her blindfolded to a separation, which is *pregnant with her certain ruin. Whenever that event takes place, she sinks to her native insignificance.*

If a separation were desirable to any section of the union, it would be to the middle and southern states, particularly the latter, who have been so long cursed with the complaints, the restlessness, the turbulence, and the ingratitude of the eastern states, that their patience has been taxed almost beyond endurance. "*Jesus was waxed fat, and kicked.*" And he will be severely punished for his kicking, in the event of a dissolution of the union.

It ought to be observed, that a very large portion of the exports from the eastern states, consists in the productions of the southern states, first transported to Boston and other ports, coastwise. So that even the comparisons I have made, which are so mortal to the pretensions of the eastern states, place them on far better ground than they really deserve. For example—suppose among the exports of the eastern states a million of dollars' worth of cotton, half a million of dollars' worth of flour, half a million of dollars' worth of naval stores, all drawn from the southern or middle states—they appear two millions of dollars stronger on the face of the argument, than they are in fact and in truth. And there is no doubt that this is the case to a vast extent.

CHAP. XXXIII.

Comparison of the exports, foreign and domestic, of the different states, from 1791 to 1813. Glance at tonnage.

To enable the reader to form a fair comparison between the commerce of the different states, I annex a synoptical view of the whole of our exports. He will see at a single glance, how very erroneous are the opinions that have hitherto prevailed on this subject; and how high even the southern foreign commerce soars over that of the boasted "*commercial states*."

General total of exports, of foreign and domestic productions and manufactures, from the year 1791 to 1813, inclusive.

	<i>Massachusetts.</i>	<i>New York.</i>	<i>Pennsylvania.</i>	<i>S. Carolina.</i>	
A	98,770,000	129,941,000	124,744,000	83,631,000	
B	81,324,000	78,052,000	65,118,000	14,420,000	
C	54,985,000	85,283,000	44,796,000	50,523,000	
	\$ 235,079,000	293,276,000	234,638,000	148,574,000	
	<i>Maryland.</i>	<i>Connecticut.</i>	<i>R. Island.</i>	<i>Virginia.</i>	<i>Georgia.</i>
A	101,026,000	12,328,000	14,113,000	53,125,000	12,162,000
B	50,214,000	501,000	6,953,000	2,355,000	190,000
C	36,630,000	11,614,000	7,789,000	42,833,000	18,548,000
	\$ 187,870,00	24,443,000	28,855,000	98,313,000	30,900,000
	<i>N. Hampshire</i>	<i>Vermont</i>	<i>N. Carolina.</i>	<i>Orleans.</i>	<i>Columbia.</i>
A	3,829,000	165,000	6,764,000		
B	1,386,000	1,075,000	61,000		
C	3,147,000	1,217,000	7,055,000	16,408,000	13,144,000
	\$ 8,362,000	2,457,000	13,880,000	16,408,000	13,144,000

EXPLANATION.

The first line, A, is taken from the table A, page 259, and contains the whole amount of the exports of foreign and domestic articles, from 1791 to 1802.

The second line, **B**, is taken from the table B, page 262, and contains the whole of the foreign articles exported from 1802 to 1813.

The third line, C, is taken from the table C, page 264, and contains all the domestic articles exported from 1802 to 1813.

<i>Eastern Section.</i>		<i>Middle Section.</i>	<i>Southern Section.</i>	
			Md.	187,870 000
			Virginia	98 313,000
Mass.	235 075,000		N Car.	13 880,000
N. Ham	8 362,000		S. Car.	148,574,000
Vermont	2 457 000		Georgia	30 900,000
R. Island	28,855,000	N. York	Orleans	16 408,000
Connec.	24,443 000	Penn.	Columbia	13 144,000
	\$ 299,192,000			
		527 934,000		509,089,000

I cannot allow these tables to pass without requesting the reader's attention to them in the most particular manner. As they throw an immense flood of light on a subject most egregiously misunderstood, and on which the most ruinous errors have prevailed, it behoves the reader to test his opinions by them, and lay aside the prejudices and misconceptions, if any, which he may have formed on these topics.

All the confusion, the tendency to disorganize the country, to overturn the government, and to introduce civil war, have arisen from the errors prevailing on the subject of commerce, of which the eastern states have appeared to be the exclusive guardians and protectors. It is now clearly and indisputably established, that the commerce of the eastern is far inferior to that of the southern states. It appears, beyond the possibility of doubt or denial, that the five eastern states have exported, since the formation of the government, of foreign and domestic articles, including an immense amount of southern productions, only about

299.000,000 dollars,

of which a vast proportion was of foreign productions. But that the southern states have in the same period exported to foreign countries no less a sum than

509,000,000 dollars,

principally of their own productions or manufactures,

domestic, of
Glance at

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1 to 1813,

S. Carolina.
83,631 000
14,420,000
50,523,000

148,574,000

Georgia.
0 12,162,000
0 190,000
0 18,548,000
0 30,900,000

Columbia.

0	13,144,000
0	13,144,000

259, and con-
domestic arti.

exclusive of the prodigious amount of their cotton, tobacco, rice, naval stores, &c. exported by the eastern states. The southern section of the union which has been so cruelly, so wickedly, so unjustly vilified and calumniated for its hostility to commerce, is therefore actually more interested in its preservation than the eastern states, in the proportion of *five to three*. There is no instance to be found, of so palpable, so gross, so unfounded a calumny, so open to detection and pregnant with such ruinous consequences, having remained so long without investigation.

From a view of the preceding tables it appears that the commerce of four of the eastern states is to the last degree insignificant, compared with that of the southern states, as will appear on the following comparisons—

First, Virginia since the organization of the government has exported four times as much as Connecticut; more than three times as much as Rhode Island; twelve times as much as New Hampshire; forty times as much as Vermont; and fifty per cent more than those four states.

Secondly, Maryland has exported nearly eight times as much as Connecticut; above six times as much as Rhode Island; twenty three times as much as New Hampshire; and about three times as much as the four minor eastern states.

Thirdly, North Carolina has exported more than New Hampshire and Vermont.

Fourthly, Georgia has exported more than Connecticut or Rhode Island; and three times as much as New Hampshire and Vermont.

Fifthly, South Carolina has exported above five times as much as Rhode Island; above six times as much as Connecticut; and 150 per cent. more than the four minor eastern states.

Sixthly, Orleans and the district of Columbia have exported more than Connecticut or Rhode Island—

Seventhly, Orleans has exported twice as much as New Hampshire.

Eighthly, Virginia, Maryland and North Carolina have exported more than the whole five eastern states.

Ninthly, the southern states have exported 75 per cent. more than all the eastern.

Since the preceding pages were written, I have examined an interesting work, entitled "A geographical and statistical view of Massachusetts proper, by Rodolphus Dickinson," published anno 1813. It greatly elucidates the subject I have been discussing, and places the unsoundness of the high commercial claims of Massachusetts in a much stronger point of light than any of the documents I have given.

"The exports in 1809 from Boston and Charlestown, of American productions and manufactures, were 4,009,029 dollars, of which the value of rice, cotton, flour, tobacco, slaves, and naval stores, *being principally the produce of the southern states, was* 2,294,109 dollars." The writer adds, this, "it is presumed, bears a relative proportion in amount, to the exports of other years." Page 78.

It thus appears, although Boston has disturbed the tranquility of the United States by her impassioned complaints on the subject of commerce, and the injury it sustained by the hostility of the southern states, that for considerably more than half of the American articles she exports, she is indebted to those states. She moreover finds an invaluable market with them for the chief part of her immense foreign importations, and for her valuable manufactures.

It really makes my heart ache with vexation, to find such mighty, such ruinous errors prevailing on those important topics—errors that have generated the most baleful passions, which are hourly increasing by artificial excitements and threaten us with the most awful consequences.

The reader must not be surprised if I often repeat this sentiment. For "Out of the abundance of the heart the mouth speaketh"—and being convinced this is beyond all comparison the most awful danger that threatens us, it is not to be wondered at, that it engrosses so large a portion of my attention.

I shall conclude this topic with one observation, that as far as my knowledge extends, or as far as I am capable of judging, there has rarely occurred an instance of one nation so very highly indebted to another as the eastern states are to the southern, and yet making such a very miserable and ungrateful return.

Tonnage.

Boston which has maintained such high commercial claims, on the ground of her exports and imports, has likewise preferred high claims on her transcendent superiority in point of shipping. These towering claims are untounded, although not in the same degree with the rest. Let the reader decide. I have before me, a statement of the tonnage of the United States for two years, from which I make a few extracts, in order to inter these pretensions in the same grave with the others.

<i>Tonnage of</i>	1809	1810
Boston,	133,257	149,121
New York.	243,538	268,548
Philadelphia,	121,443	125,258
Baltimore,	102,434	103,444
Portland,	32,007	32,599
Portsmouth,	27,719	28,820
Bath,	23,033	20,344
Newburyport,	36,574	39,100
Salem,	43,537	41,462
Norfolk,	40,940	47,643
Charleston,	50,819	52,888

From the above statement it appears that in the year 1810, the tonnage of Norfolk and Charleston was considerably superior to that of any port in the eastern or middle states except Boston, New York, and

Philadelphia; and that the tonnage of Baltimore was more than double that of any port in the eastern states, except Boston.

CHAP. XXXIV.

Another source of excitement among the eastern states. Duties on imports. Statistics. Southern states pay very nearly as much as the eastern. Wonderful delusion.

Those men whose unceasing efforts have been employed to excite the passions of the yeomanry of the eastern states, and prepare them for insurrection and a dissolution of the union, have raised a great clamour on the subject of the enormous amount of duties paid by those states, and the insignificance of the sums paid by the southern section of the nation. They thence infer the injustice and the inequality of the union, and its oppressive operation upon the former section.

This item of complaint is, if possible, more fallacious than the one discussed in the preceding chapter. The disadvantage is all on the other side of the question. The eastern states import largely from Europe, and the East and West Indies, for the supply of the southern states. The former, it is true, have to bond or pay the duties in the first instance. This appears wonderfully to their advantage in the tables of duties. But it can hardly be necessary to inform the reader that the merchant who bonds the duties is not the actual payer of them. The late Mr. * * * * * of this city, paid duties on probably 500,000 dollars' worth of imported goods annually; but did not consume 1000 dollars' worth. Who could be so ignorant as to pretend, that the government was beholden to him for the amount of the duties! They were paid by the farmers in Chester, and Bucks, and Delaware, and Berks counties. The duties are added by the merchant to the first cost, with a profit on both—and the ultimate consumer is the real payer.

The eastern states levy taxes in this way not merely on Maryland, Virginia, North and South Carolina and Georgia, but even on Pennsylvania; for strange as it may seem, it is nevertheless true, that notwithstanding the immense wealth, the ardent enterprize, and the great commercial advantages of Philadelphia, immoderate quantities of East India and Chinese goods are sent from Boston, Salem, and other eastern ports, for sale here.

But even, independent of the importation of the eastern for the southern states, the argument is unfairly stated. If the former actually consumed all the foreign articles they import, the duties they pay compared with those paid by the southern states will not warrant their holding the high, and arrogant, and commanding tone they have always assumed.

To enable the reader to form a correct opinion on the subject, I annex a set of tables of the

Net amount of duties paid by the different States from the year 1791 to 1812 inclusive, taken from the records of the treasury department, and submitted to congress by Joseph Nourse, Esq. register of the treasury.

	<i>New Hampshire</i>	<i>Vermont.</i>	<i>Connecticut.</i>	<i>R. Island.</i>
1791	53 000		206 000	146 000
1792	41 000		142 000	46 000
1793	44 000		154 000	133 000
1794	38 000	1,000	171 000	89 000
1795	44 000		155 000	244 000
1796	53 000	1,000	141 000	137 000
1797	27 000		115 000	276 000
1798	72 000	1,000	127 000	104 000
1799	99 000	2 000	289 000	260 000
1800	142 000	2,000	169 000	393 000
1801	133 000		328 000	284 000
1802	119 000		262 000	178 000
1803	122 000	1,000	301 000	366 000
1804	108 000		348 000	421 000
1805	109 000		354 000	340 000
	1,204,000	8,000	3,262,000	3,426,000

THE OLIVE BRANCH.

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	<i>New Hampshire.</i>	<i>Vermont.</i>	<i>Connecticut.</i>	<i>R. Island.</i>
<i>Brought forward</i>	1,204,000			
1806	117,000	8,000	3 262,000	3,426,000
1807	99,000		325,000	361,000
1808	19,000		314 000	123,000
1809	39,000	9,000	197,000	270,000
1810	53,000	9,000	129,000	35,000
1811	62,000	5,000	167,000	435,000
1812	122,000	116,000	240,000	318,000
			829 000	452 000
	1,715 000	147,000	5,463 000	5,420 000

	<i>Massachusetts.</i>	<i>N. York.</i>	<i>Pennsylvania.</i>	<i>Maryland.</i>	<i>Virginia.</i>
1791	\$ 977,000	1,564,000	1,491,000	641,000	851,000
1792	678 000	1,169,000	1,096,000	449,000	474 000
1793	950,000	1,195,000	1,804,000	869,000	388 000
1794	1,004,000	1,860,000	1,473 000	795 000	389 000
1795	1,415,000	2,000 000	2,271,000	523,000	396 000
1796	1,334 000	2,158,000	2,012,000	761,000	598 000
1797	1,372 000	2,059,000	1,743,000	1,145,000	606,000
1798	1,168,000	1,743 000	1,029 000	885 000	629 000
1799	1,607,000	2,373,000	1,259,000	1,161,000	896,000
1800	1,974,000	2,741,000	1,350 000	623 000	644 000
1801	2,929,000	3,810,000	2 123 000	1,001,000	746 000
1802	1,525,000	2 490,000	1,410,000	634 000	689 000
1803	2,490,000	3 524,000	1,655,000	936 000	713 000
1804	4,630,000	3,872,000	2,609,000	1 538 000	902 000
1805	3,308 000	4,882,000	2,300,000	1,130,000	805,000
1806	3 524,000	4,875,000	3 017,000	1,446,000	620 000
1807	3,576,000	4,926,000	3,162 000	1,633 000	506,000
1808	1,184 000	2,764,000	1,647,090	588,000	110 000
1809	1,384,000	2,981,000	1,405,000	155,000	257,000
1810	2,774,000	4,419,000	2,539,000	928 000	461 000
1811	1,816,000	1,979,000	1,840,000	722,000	195,000
1812	2,719,000	2,890,000	2,090,000	1,782,000	690 000
	43,338,000	62,274,000	41,225,000	20,345,000	12 565,000

	<i>N. Carolina.</i>	<i>S. Carolina.</i>	<i>Georgia.</i>	<i>Columbia.</i>	<i>Orleans.</i>
1791	\$ 115,000	538,000	91,000		
1792	78,000	360,000	53,000		
1793	63,000	359,000	35,000		
1794	78,000	651,000	87,000		
1795	99,000	710,000	54,000		
1796	68,000	56,000	31,000		
1797	105,000	700,000	62 000		
	606,000	3,374,000	413,000		

	<i>N. Carolina.</i>	<i>S. Carolina.</i>	<i>Georgia.</i>	<i>Columbia.</i>	<i>Orleans.</i>
<i>Brought forward</i>	606,000	3,374,000	413,000		
1798	120,000	239,000			
1799	154,000	858,000			
1800	126,000	1,159,000			
1801	125,000	1,002,000	663,000	94,000	
1802	252,000	280,000	211,000	133,000	
1803	159,000	646,000	182,000	143,000	
1804	186,000	718,000	180,000	128,000	279,000
1805	165,000	843,000	95,000	119,000	342,000
1806	202,000	871,000	183,000	137,000	361,000
1807	196,000	735,000	489,000	123,000	480,000
1808	16,000	225,000	35,000	20,000	77,000
1809	65,000	377,000	6,000	60,000	134,000
1810	58,000	567,000	134,000	50,000	244,000
1811	44,000	338,000	56,000	45,000	148,000
1812	47,000	433,000	260,000	80,000	137,000
	<u>2,521,000</u>	<u>12,665,000</u>	<u>2,907,000</u>	<u>1,132,000</u>	<u>2,202,000</u>

† In these tables, as in those of exports, there is no account taken of any sums below 1000 dollars. This operating equally on both sides, cannot affect the comparison, which is the object in view.

From the foregoing tables, the following results appear.

I. The southern states have paid nearly as much duties to the government as the eastern.

Maryland	-	-	-	-	20,345,000	
Virginia	-	-	-	-	12,565,000	
North Carolina	-	-	-	-	2,521,000	
South Carolina	-	-	-	-	12,665,000	
Georgia	-	-	-	-	2,907,000	
Columbia	-	-	-	-	1,132,000	
Orleans	-	-	-	-	2,202,000	
					<u>54,337,000</u>	
Massachusetts	-	-	-	-		43,338,000
New Hampshire	-	-	-	-	1,715,000	
Vermont	-	-	-	-	147,000	
Connecticut	-	-	-	-	5,463,000	
Rhode Island	-	-	-	-	5,420,000	
					<u>12,745,000</u>	
						<u>56,083,000</u>

II. The single state of South Carolina paid nearly as much duties as the four minor eastern states.

South Carolina	12,565,000
Four New England states (see No. 1.)	12,745,000

III. Orleans paid more in nine years than New Hampshire and Vermont in twenty two.

Orleans	2,302,000
New Hampshire	1,715,000
Vermont	147,000
	<u>1,862,000</u>

IV. Virginia paid 15 per cent more than Connecticut and Rhode Island.

Virginia	12,565,000
Connecticut	5,463,000
Rhode Island	5,420,000
	<u>10,883,000</u>

V. New York and Pennsylvania paid nearly ninety per cent more than the five eastern states.

New York	62,274,000
Pennsylvania	41,225,000
	<u>103,499,000</u>
Five eastern states (No. 1.)	56,083,000

VI. South Carolina paid more than twice the amount of duties paid by either Connecticut or Rhode Island.

South Carolina	12,565,000
Connecticut	5,463,000
Rhode Island	5,420,000

Synopsis of duties paid from 1791 to 1812.

Eastern Section.

Middle Section.

Southern Section.

			Maryland	20,345,000
			Virginia	12,565,000
			N. Car.	9,521,000
Mass.	43,338,000	N. Jersey	259,000	12,665,000
N. Hamp.	1,715,000	Delaware	1,223,000	2,907,000
Vermont	147,000	N. York	62,274,000	1,132,000
Connect.	5,463,000	Pennsyl.	41,225,000	2,202,000
R. Island	5,420,000			
	<u>\$ 56,083,000</u>		<u>\$ 104,981,000</u>	<u>\$ 54,337,000</u>

Those who consider the very expensive habits of the planters of Virginia and South Carolina, and the immense amount of foreign goods received in those states from the eastern states, as well as from New York, Pennsylvania, and Maryland, and how very large a proportion of the goods imported by Massachusetts is exported to the other states, will probably be led to believe, that Virginia and South Carolina actually consume each as much of dutiable articles, and of course pay as much duties, as Massachusetts. I acknowledge this is but a rough calculation. But a due consideration of the great number of coasters, which in time of peace, are constantly plying from the ports of the eastern and middle to those of the southern states, will afford a strong support to this opinion. A very large proportion of the cargoes of the coasters bound to the southern ports is imported goods; and the residue generally articles of domestic manufacture. The return cargoes are all of raw materials for these manufactures, or articles of the highest value for exportation to Europe and elsewhere. It is not easy to conceive of a more advantageous commerce for the mother countries, as, in this case, the middle and eastern states may be justly styled. I repeat it, and hope the solemn truth will be borne in constant remembrance, that the southern states are virtually colonies to those states whose demagogues have never ceased slander and persecuting them.

I dismiss this part of my subject, I hope for ever. I trust that the most incorrigible effrontery will never dare again to hazard an assertion of the commercial superiority of the eastern states.

CHAP. XXXV.

Fallacy of the opinion of any hostility in the Southern against the Eastern States. Commercial and Agricultural states mutually dependent on, and beneficial to each other.

Having settled the question on the subject of the comparative claims of the different sections of the union to commercial advantages, I proceed to consider the positions, which assert the necessary hostility of an agricultural section of a country to a commercial one—the actual existence of that hostility in the southern states—and its baneful influence on the measures of congress.

Never since faction first disturbed the peace of mankind, and made this earth a suitable abode for demons incarnate, did she employ a more hollow, fallacious, or unfounded pretext, to justify her lawless proceedings, than is here to be combated. It is not merely untrue: it is the reverse of truth—it has not even the shadow of plausibility.

Let us for a moment suppose, for sake of argument, that the eastern states are, as they pretend to be, exclusively commercial—and that the southern are exclusively agricultural. This is placing the case in the most advantageous point of light its friends could desire. Could there be any stronger bond of affinity between two nations, or two sections of the same nation, than the mutual wants which this supposed case implies? The agricultural portion would have imperious necessity for the ships, the seamen, and the capital of the commercial portion, for the purchase and transportation of her superfluous productions. And the navigation and capital of the commercial portion would find all the advantages they could require in the transportation and sale of the productions of the other.

The agricultural portion, as I have already stated, would be merely in the situation of colonies to the commercial. What has always been the grand advantage of colonies to parent countries? Merely to increase their navigation—to furnish raw materials for the employment of their artisans and manufacturers—and to purchase the productions of the labours of those artisans and manufacturers.

It therefore irresistibly follows, that Virginia, North and South Carolina, Georgia, and the western states, have literally been but colonies to the middle, and more particularly to the eastern states. The hardy and enterprising Yankees pervade every bay, river, creek, and inlet of the southern states; and for their *notions* carry off the solid coin of the country to replenish their coffers. They every where undersell and undermine the established southern storekeepers. Moreover, the cotton, the rice, the flour, the tobacco, and the naval stores of the eastern states, have enabled the ship owners to amass those overgrown nabob fortunes, which render them too aspiring to submit to the equal form of government which we enjoy. They have literally lived upon the industry of the eastern states. Without them their section of the union would rank very low indeed in the scale of nations.

This state of things, so eminently advantageous to the eastern states, has never created faction, or complaint, or convulsions, or threats of dissolving the union, in the southern. They have cheerfully supported a government whose chief attention has been directed to the promotion of commerce—and which never did and never would have experienced any very great difficulty with foreign nations but from the cupidity of the mercantile interest.

It requires little effort to prove, and little capacity to perceive, that there is a commercial rivalry between Massachusetts and Rhode Island—between Philadelphia and New York—between Baltimore and Philadelphia. But that a serious thinking people, like those of the eastern states, should have ever been duped to believe that there is any real cause of jealousy and hostility between the

commercial and agricultural sections of the country, is a folly, of which it is hardly possible to find a parallel in the history of the madness and idiocy of the human species.

To view the subject once more—although it really does not deserve further attention. Suppose still the southern states wholly agricultural, and the middle and eastern wholly commercial, and that the former have an overwhelming majority in the legislature of the union. How could it ever enter into the mind of any rational being to suppose, that the majority could for a moment be ignorant of the plain truth, that every stroke aimed at commerce was a stroke at their own vital interests?

It is well known, that the representatives of the southern and western states are generally gentlemen of the highest grade of talents in congress. From causes which it is neither necessary nor proper here to detail, the middle states have not made as respectable a figure in that body as could have been wished. The eastern have not been quite so unfortunate. It requires, however, but a moderate portion of candour to acknowledge, that although they occasionally send to congress men of considerable talents, they are on the aggregate far below Virginia, South Carolina, and Kentucky. And could this plain truth escape the Eppeses, the Gileses, the Clays, and the Popes, that it was impossible to injure commerce without inflicting an equal injury on agriculture?

The agricultural portion of this great nation could infinitely better dispense with the commercial, than the latter with the former. Never since commerce first began, did a nation, having bulky raw materials to sell, and having demands for large quantities of merchandize, find any difficulty in creating a marine, or, amidst naval competitors for her trade, in securing the transportation of her commodities, and the purchase of merchandize, on fair and advantageous terms. But the decay of Portugal, Venice, Genoa, the Hanse Towns, and other great commercial states, proves, that a nation possessed of a consid-

erable marine, may, if it affront or offend the nations on which it depends, be reduced to its native and intrinsic insignificance.

The eastern states labour under very great disadvantages. The sterility of their soil will leave them eternally dependent upon the southern states; for their situation imperiously forces them to have recourse to manufactures and commerce. Their agriculture must always be comparatively insignificant. They therefore, I repeat, owe their greatness principally to the immensely valuable trade they carry on with those states, which their ungrateful writers and demagogues are constantly vilifying and abusing, and which afford the principal pabulum for the commerce of the middle and eastern states. Those demagogues are, as I have stated, unceasingly exciting animosities between the two sections of the union by pretending a rivalry of interest, which is wholly unfounded. There is, I repeat, real cause of jealousy between Rhode Island and Massachusetts: but none between either of them and Virginia or South Carolina. The latter are and will probably forever continue great agricultural states. Their immense and growing productions will find the most valuable employment for the shipping and for the manufactures of the eastern and middle states.

Should a separation take place, which I hope and trust in the goodness of heaven is far remote, the eastern states will repent it first and last. They will have reason eternally to curse the unhallowed counsels of those restless demagogues, who shall have plunged them in the abyss of ruin. Their hardy sons who now migrate to the southward and westward by hundreds, will abandon their native soil by thousands—and daily add strength to the rival section of the nation, and equally enfeeble the parent states. The latter will dwindle into the insignificance from which they have been elevated by the tribute they have levied upon Virginia and her southern sisters.

The horrors of an immediate CIVIL WAR, and of a constant BORDER WAR, *such as formerly existed*

between England and Scotland, are the only considerations that render a separation from Massachusetts a measure to be at all deprecated. Were we insured from these two evils, the expulsion of that State from the union would be a measure of justice, propriety and advantage. It would be an advantage to the rest of the nation. She has harassed the national councils to a most intolerable and shameful degree.

She seems determined, if she cannot rule the country herself, to send it to destruction headlong. She has been for years a curse and a scourge to the union. We should not have had war but for her*. And among the features of the present crisis, the most lamentable one is, that she cannot suffer the punishment due to her folly, her arrogance, her restlessness, her faction, her jacobinism, her anti Washingtonism, without inflicting an equal degree of misfortune on her innocent neighbours. Could she be made to suffer alone, it were "*a consummation most devoutly to be wished.*" A strong navigation act, and discriminating duties, would soon bring her to her senses, and convince her of the immeasurable folly and madness she has been guilty of. They would sink her to her proper level—that level, which her ungrateful soil—her insignificance in point of population—and the narrow limits of her territory, prescribe—and which, I repeat, nothing but the advantages she has derived from her persecuted, insulted, outraged, and defamed sister states, could have enabled her to pass. She would repent of her infatuation, and most anxiously seek to be restored to a confederacy, on the major part of which she had unceasingly levied heavy contributions, and to which she owed all that prosperity, that wealth, and that affluence,

* This assertion has been cavilled at by a Boston writer, but not refuted. Boston, by her jacobinical opposition to the peaceable measures adopted to obtain from England that redress for which she herself had so loudly implored the interference of government—and by her excitement of a similar opposition throughout the eastern states generally, defeated those measures—encouraged England to proceed in her outrages—which finally led to war.

which had rendered her dizzy, inflated her with pride and arrogance, and brought on her downfall.

CHAP. XXXVI.

Money the sinews of war. Associations to prevent the success of the loans. Efforts to bankrupt the government. Large drafts of specie on New York from Boston. Understanding between certain persons in Boston and government of Canada. British government bills. Treason in United States. High treason in England. Misprision of treason. Hanging, drawing and quartering.

Money has long been proverbially styled the sinews of war. It is no misnomer. Soldiers cannot be raised—nor put in motion—nor arrayed in the field of battle, without money to clothe and to feed them. A government at war, and destitute of funds or credit, must succumb to its adversary---bend the neck to the yoke—make humble submission—and receive the law from the conqueror. To these truths history bears ample and uniform testimony.

Under this impression, shortly after the declaration of war, there was a combination formed to prevent the success of the loans authorized by congress. I believe that nearly all those who entered into this scheme resided in the eastern states, particularly in Boston, which was the grand focus of the conspiracy.

There never was a measure, however atrocious, but there was a plausible plea invented to palliate or justify its enormity. This high handed conspiracy to destroy the credit of the government of their country, which originated among the "moral and religious people" of Boston, was predicated upon two positions:

First, that England was, and had always been willing to make a treaty with us on fair and honorable terms;

and that so great was her magnanimity, she would take no advantage of any of the embarrassments or difficulties that might arise from the destruction of the public credit.

Secondly, that our administration was so obstinately bent on continuing the war, that it would make no peace while it had the means of carrying hostilities on.

A corollary from these positions was, that if the conspirators prevented the success of the loans, and deprived the government of the means of prosecuting the war, we should in consequence have peace.

These extravagant positions must excite the amazement of any calm observer. "But as soon as he should be acquainted with the nature and existence of prejudice, passion, obstinacy, wilfulness, wickedness, and above all, with the character and influence of party spirit, the mystery would vanish at once: for he would then see that these and not reason decide. *Reason asks for facts and arguments; prejudice, passion, and the rest, ask for names, sounds, noise, and fury. By those they are impelled—by these they decide.*"*

Our government had given four strong and irresistible proofs of a disposition to conclude the war, which must carry conviction to every candid mind.

First, on the 27th June, 1812, it had offered the British government an armistice on the simple and reasonable conditions of suspending, during the negotiation, the outrageous injury of impressment, and surrendering the American seamen previously impressed. The suspension of impressment at that period *could not have occasioned Great Britain any possible disadvantage*; for, having nearly annihilated all the rival navies of Europe, her stock of sailors could not require to be replenished by impressment from our vessels. And as she had at all times *professed* a willingness to give up our seamen, there could have been no difficulty on the second point. She ought, therefore, to have met our amicable overtures with

* The Examiner, by Barent Gardenier, vol. 1. page 57.

frankness. If she was fighting for her existence, as has been said a thousand times; and if our hostility jeopardized it; it was the quintessence of madness and folly, not to have withdrawn from us the number of her enemies, when she could have done it on such easy terms without impairing her credit or character.

Secondly, It had promptly accepted the Russian mediation for the termination of hostilities.

Thirdly, To remove all difficulty out of the way on the important subject of impressment, an act was passed, on the third of March, 1813, by congress, making such provisions, to commence from the close of the war, as to secure Great Britain against the seduction or employment of her seamen on board our vessels, public or private.*

Fourthly, and most particularly, in the appointment of three ministers to negotiate, Mr. Bayard, a decided federalist, was chosen—a gentleman of high standing with his own party—of considerable talents—and strenuously opposed to the administration. Unless his instructions had been fair and honourable, he would not certainly have accepted the appointment.

In the appointment of ministers in England or elsewhere, I believe there is no similar instance to be met with, of the choice of a person hostile to the administration who appointed him. It was a very great effort to remove suspicion and jealousy from the public mind. Nothing but the incurable folly and madness engendered by faction, could possibly resist the fair inference warranted by this appointment. But it was wholly unavailing. Faction is now, ever has been, and ever will be, deaf, and dumb, and blind, to reason and common sense.

These four facts notwithstanding, the persuasion was general among the "*peace party*," that the government was averse from closing the war. The talents of the federalists in the eastern states and elsewhere,

* Among the members who voted against this bill were Messrs. Josiah Quincy and John Randolph. Their motives must have been very extraordinary. I cannot fathom them.

were now put in requisition to impress this idea on the public mind. The leaders of the party affected to be, and the others were, inflexible in the opinion.

In consequence every possible exertion was made in Boston to deter the citizens from subscribing to the loans. Associations were entered into in the most solemn and public manner to this effect. And those who could not be induced by mild means, were deterred by denunciations. A volume might be filled with the lucubrations that appeared on this subject.

The pulpit, as usual in Boston, came in aid of the press, to secure success. Those who subscribed were in direct terms declared participators in, and accessories to, all the "*murders*," as they were termed, that might take place in the "*unholy, unrighteous, wicked, abominable, and accursed war*."*

To enable us to judge of the detestable wickedness of these proceedings, let us examine what would be the effect of complete success. No diminution of the guilt of any act arises from its failure to produce its usual and intended effect. The man who fires a pistol with intent to kill, is, in the eye of heaven, equally a murderer with him whose ball passes through the brains of his victim. Had complete success crowned the efforts of the conspirators, these awful consequences would have taken place :

First, a national bankruptcy † The public creditors and all who depended on them would have been ruined.

Secondly, with the downfall of the public stock, would have fallen the stocks of banks, insurance companies, ‡ &c. &c.

Thirdly, private bankruptcy would have followed to an enormous extent : and wide-spread ruin would have pervaded the nation.§

* See chapter XXXIX.

† Since the above was written, this effect has been produced to a certain extent by this conspiracy.

‡ This consequence has taken place to a most alarming degree.

§ Strong traces of the pernicious effects of this conspiracy appear throughout the union. Some of the conspirators have fallen unlamented victims to their own machinations.

Fourthly, the national armies must have been disbanded, and the frontiers exposed to the desolating effects of the hatchet and tomahawk. The aged matron—the chaste and tender wife—the blooming maiden—the decrepit grandfire—the manly father—and the helpless infant, all would have been involved in one wide, impartial, and undistinguishing destruction.

Fifthly, our seaport towns would have been exposed to the mercy of Cockburns and Gordons. They would have shared the fate of Alexandria, of Hampton, of Havre-de-Grace, and of Frenchtown.

And sixthly, to close the awful catalogue, our government would be laid at the mercy of Great Britain;—and, deprived of the means of resistance, must have submitted to whatever ignominious terms she would choose to impose.

These were the results that must have taken place, had complete success crowned the horrible project. Never was more unholy purpose attempted.

It is highly probable that many of the persons engaged in this conspiracy did not contemplate such extensive results. They probably looked no farther forward than to the restoration of peace. But the leaders in the scheme were too keen, too shrewd, too profound, and too hostile to the government of their country, to allow us to extend to them the same degree of charity. Their minds must have grasped all the stupendous and awful consequences; and they had reconciled themselves to the wide-spread devastation, which they regarded as “a consummation devoutly to be wished.”

The success in the eastern states was considerable.—Few men have courage to stem the tide of popular delusion when it sets in very strong. There were some, however, who subscribed openly, in defiance of denunciations and threats. Others, of less firm texture, loaned their money by stealth, and as clandestinely as if it were treasonable. What, alas, must be the awful state of society, when a free citizen is afraid of lending his money publicly to support the government that protects him—

the mildest form of government ever vouchsafed by heaven to man—whose mildness enables its enemies to jeopardize its very existence! Who, that has a soul to feel—who that has a spark of patriotism or public spirit in his frame, but must be fired with a holy indignation at such a hideous, such a horrible state of the public mind!

"Money is such a drug (the surest sign of the former prosperity, and present insecurity of trade) that men against their consciences, their honour, their duty, *their professions and PROMISES*—are willing to lend it *secretly*—to support the very measures which are both intended and calculated for their ruin."

This paragraph, the production of John Lowell, establishes the existence of a combination to prevent the success of the loans, who had "*promised*" each other, or pledged themselves, not to subscribe: some of whom, nevertheless, did subscribe—but to avoid the reproaches and persecution of their associates, did it "*secretly*." This conclusion irresistibly follows. These "*promises not to lend their money*," must refer to the combination I have stated. It can have no other meaning. And the fair construction of their lending "*secretly*" can be no other than that they were liable to disgrace with, or persecution from, their party, if they lent openly.

Of the species of denunciations held out to deter from subscriptions, some idea may be formed from the following paragraphs, taken from various Boston papers.

"Let no man who wishes to continue the war by active means, by vote or lending money, DARE TO PROSTRATE HIMSELF AT THE ALTAR ON THE FAST DAY; for they are actually as much partakers in the war, as the soldier who thrusts the bayonet; and THE JUDGMENT OF GOD WILL AWAIT THEM."

Money lent by Federalists.

"Will federalists subscribe to the loan? will they lend money to our national rulers? it is impossible. First, because of principle; and secondly, because of principle and interest. If they lend money now they make themselves parties to the violations of the constitution, the cruelty

* Road to Ruin, No. 5, sub fine.

oppressive measures in relation to commerce, and to all the crimes which have occurred in the field and in the cabinet. To what purpose have federalists exerted themselves to shew the wickedness of this war, and to rouse the public sentiment against it, and to show the authors of it not only to be unworthy of public confidence but highly criminal, if now they contribute the sums of money without which, these rulers must be compelled to stop; must be compelled to return to the policy and measures under which this country once was at peace, and in singular prosperity.

"By the magnanimous course pointed out by governor Strong, that is, by withholding all voluntary aid in prosecuting the war, and manfully expressing our opinion as to its injustice and ruinous tendency, we have arrested its progress; and driven its authors to abandon their nefarious schemes, and to look anxiously for peace. What then if we now lend them money? They will not make peace; they will still hanker for Canada; they will still assemble forces, and shed blood on our western frontier—mere pride, if nothing else, would make them do it. The motives which first brought on the war till continue it, if money can be had—but some say—will you let the country become bankrupt? No, the country will never become bankrupt. But may do not prevent the abusers of their trust becoming bankrupt. Do not prevent them from becoming odious to the public and replaced by better men. ¶ Any federalist who lends money to government, must go and shake hands with James Madison, and claim fellowship with Felix Grundy. ¶ Let him no more call himself a federalist and a friend to his country. He will be called by others, INFAMOUS.

"But, secondly, federalists will not lend money because they will never get it again. How, where and when are the government to get money to pay interest? And ¶ who can tell whether future rulers may think the debt contracted under such circumstances, and by men who lend money to help out measures which they have loudly and constantly condemned, ought to be paid? On the whole then there are two very strong reasons why federalists will not lend money—first, because it would be a base abandonment of political and moral principles; and secondly, because it is pretty certain they will never be paid again.

"It is very grateful to find that the universal sentiment is, that ¶ any man who lends his money to the government, at the present time will forfeit all claim to common honesty and common courtesy among all true friends to the country. God forbid that any federalist should ever hold up his hand to pay federalists for money lent to the present rulers: and federalists can judge whether democrats will tax their constituents to pay interest to federalists."

Boston Gazette, April 14th, 1814.

"The war advocates appear very sore and chagrined at the failure of the late loan, and in their ravings ascribe the meagre subscriptions to the truths which have appeared in the federal papers on the subject." Centinel, March 24th, 1813.

"No peace will ever be made, till the people say there shall be no war. If the rich men continue to furnish money, war will continue

till the mountains are melted with blood—till every field in America is white with the bones of the people." Discourse delivered at Byfield, April 7 1814. By Elijah Parish, D D.

"If this war is to be supported by loans, paper stock will breed as fast as faster than merinos. Their fleeces, if your pastures are good, will yield the interest; but for your interest of paper stock, you must yield a fleece of loans annually from your own pockets. The admiral and the purser have informed the crew, that they have but few shot in the locker; they must be replenished, or the war laurels must wither. In our old war, when private men were public creditors, and became somewhat impatient of public delay, the administration would promise them one new dollar for two hundred old ones, and try their patience again. My brother farmers, if you have money to let, let it lay. If the war continues you will purchase your stock at four years old, cheaper, than you can raise it; so unjust is this offensive war, in which our rulers have plunged us, in the sober consideration of millions, that *they cannot conscientiously approach the God of armies for his blessing upon it.*"

Centinel, 13th January, 1813.

The following advertisement contains volumes. It evinces beyond the power of doubt or denial, the horrible state to which a few factious, violent men, by their treasonable practices, had reduced the town of Boston, when those who were disposed to support their own government, were obliged to do it as clandestinely as if they were engaged in some dangerous conspiracy.

The New Loan.

From the Boston Chronicle, April 14, 1814.

"From the advice of several respected friends, we are induced to announce to the public that subscriptions to the *new loan* will be received by us as agents until the 25th inst. from individuals, or incorporated bodies, in sums of \$ 500 and upwards. The subscriptions to conform to the regulations announced by the secretary of the treasury, dated 4th April. Payments may be made in Boston money, or in any other in the United States, the subscriber paying the customary rate of discount. Applications will be received from any persons who wish to receive their interest in Boston, by letters post paid, or by written applications from individuals in Boston. *and the names of all subscribers shall be known only to the undersigned,* according to the proposals of the secretary of the treasury (for more particulars see his advertisement;) each applicant must name the highest rate he will give, and if the loan is granted lower than this proposal, it will of course be for his benefit—but on the other hand, if higher, he will lose the benefit of

being a subscriber. The certificates, and all the business relating it to will be delivered free of charge

GILBERT & DEAN, Brokers.

"Exchange Coffee House, Boston, April 12."

"How degraded must our government be even in their own eyes when they resort to such tricks to obtain money, which a common Jew broker would be ashamed of. They must be well acquainted with the fabric of the men who are to loan them money, when they offer, that if they will have the goodness to do it, their names shall not be exposed to the world. They know right well that the cause is so sneaking and vile that nobody would be seen in the broad day-light to lend them money. However, it is consistent with the system of deception and double dealing which they have always practised.

"Capitalists may be induced to subscribe to the loan, because it will tend to shorten the war. But what pledge have they when they have poured all their cash into the lap of the government, that the loan will end?

"No one doubts of their rancour and ill-will towards England: and that they are willing to fight her as long as they can get money. Well then, if they can guile the rich men, and get as many loans as they ask for, will they not fight till that is gone? yea, and until they can negotiate new loans upon the same terms?

"Perhaps monied men may be bribed by the high interest that is offered. But if they withhold their aid, and so force the government into a peace, will not their capital be better employed, if engaged in trade? will they not have better security for its payment, and at their command when they ask for it?

"On the whole, we think it no way to get out of the war, to give money to the government, when the very thing that prevents them from carrying it on, is the want of money!" Boston Gazette, April 14, 1814.

After having intimidated the citizens from lending their money publicly, by the most inflammatory and seditious publications, of which the preceding extracts afford a slight specimen, these writers revile and abuse the government, because those who wish to lend, are invited by the brokers, and are forced to do it secretly! What transcendent injustice!

These are fair specimens of hundreds of paragraphs and essays written with a view to dissuade and intimidate monied men from subscribing to the loans. Canting hypocrites, who were violating the fundamental laws of society, encouraging "smuggling," and "perjury"—"acquiring ill-gotten wealth at the expense of public morals"—and endeavouring, though a

small minority, to trample down the majority, had the wickedness to call down "*the judgment of God*," upon the supporters of a lawful and mild government!

In the middle states, the federalists did not enter into the project, or to a very limited extent. Many of them were subscribers—some on a very liberal scale. And thus the loans, in spite of the press and the pulpit, and the efforts of the conspirators, succeeded, to their infinite mortification. New means were brought into operation, which were temporarily crowned with success.

How strong soever may be the general sense of the infamy of smuggling, it has always prevailed; and will never be wholly suppressed, while the advantages it holds out are so great, and while there are men to be found who worship gain as their God. It is not therefore surprising, that, as the non-importation, the embargo, &c. were denounced as oppressive, unjust, and unconstitutional—and the war as wicked, and unprovoked, and corrupt, smuggling should be carried on to a most prodigious extent. The public papers in Boston repeatedly invited and urged the citizens to set the restrictive system at defiance. These circumstances conspired to supply that town with smuggled goods on a very large scale.

Of the extent to which smuggling, and fraud, and perjury are carried in Boston, some idea may be formed from the following "precious confession," written by John Lowell. It describes a state of society not exceeded in the most corrupt countries in Europe.

"Encouraged and protected from infamy by the just odium against the war, they engage in lawless speculations—they sneer at the restraints of conscience—they laugh at perjury—they mock at legal restraints—and they acquire an ill-gotten wealth at the expense of public morals, and of the more sober, conscientious part of the community."†

* Road to Ruin, No. 6.

† Mr. Lowell denies that the above portrait was drawn for Boston. He says "the remarks were intended to apply to other states than Massachusetts"—but he does not specify which are the states. I have

It is worthy of the most serious reflection of the honourable and public-spirited federalists of the middle and southern states, how far they can, without disgrace and dishonour, any longer "*follow the lead*" of a town where such a state of things exists—where no regard is paid to "*the restraints of conscience*"—where "perjury," is a subject of "*laughter*"—where "*legal restraints*" are "let at defiance"—and where "*public morals*" are sacrificed to the acquisition of "*ill-gotten wealth*."—What an awful consideration it is, that such a description of citizens should have it in their power to decide the destinies of eight millions of people and their posterity! for it is a most frightful truth, that all the violent, lawless, jacobinical, and wicked measures, which are driving this country to perdition, have their origin in Boston, where "perjury and smuggling" are the roads to fortune---and where "conscience affords no restraint."*

Mr. Lowell, after drawing this frightful picture, endeavours to make the administration answerable for the whole to "a just God," who "*knows how to trace*

reconsidered the subject, and am not disposed to admit his defence. The depravation of morals he describes, is, he says, the result of "*smuggling*." And this is protected from infamy by "the just odium against the war." Now it is well known that there is no part of the United States where smuggling is carried on so largely and so barefacedly as in Boston—and none where so much pains have been taken to excite the public passions against the war, or with so much success. It is therefore not in Mr. Lowell's power to remove the fairness of the application.

* I wish here to avoid being misunderstood. This statement respecting Boston is to be received with due qualification. I have numerous and most estimable acquaintances in Boston—equal in point of honour and integrity to any citizens in the United States. And such I consider the mass of the inhabitants. But in times of factious violence, the worst men always rise uppermost; gain the ascendancy; give the tone to public measures; and establish an arbitrary sway. And the men who "laught at perjury" and "sneer at the restraints of conscience" are precisely those who in such times of frenzy bear away over their fellow citizens, and bear down or force with them the dispassionate and well intentioned. At all events, the picture of Boston is not mine. If it be incorrect, I am not answerable. Let Mr. Lowell and his friends settle the account between them.

the causes of human events." This is most sorry and contemptible canting, and can deceive no man beyond the rank of an idiot. This hideous derangement of morals is solely the production of faction, which consecrates every means, however wicked, to answer its vile purposes.

"Administration hirelings may revile the northern states, and the merchants generally, for this monstrous depravation of morals, *and this execrable course of smuggling and fraud*. But there is a just God, who knows how to trace the causes of human events: and he will assuredly visit upon the authors of this war, all the iniquities of which it has been the occasion. If the guilty deserve our scorn or our pity, the tempters and seducers deserve our execration."

This is very just and true. The guilty deserve our scorn. The seducers merit execration. But who are the seducers? Those, indubitably, who for so many years have been employed, by every means, however base or vile, in exciting the people to forcible opposition to the rulers of their choice—who have, in the public papers, openly invited those, who needed no such invitation, to violate laws fairly and constitutionally enacted, which they denounced as oppressive and "*unconstitutional*." These are "*the seducers*." These are the men on whom heaven in its righteous decrees, will "*visit all the iniquities*," to which their ambition, their turbulence, and their factious spirit have given occasion.

Many valuable British prizes were sent into Boston, which greatly added to the stock of goods introduced there by smuggling. The middle and southern states, which refrained from these pestiferous practices, drew nearly all their supplies of foreign merchandize from that town. This course of events filled the vaults of the banks in Boston with incomparably more specie than they ever held before—and raised very heavy balances against the banks in New York. The Philadelphia banks were indebted to those in New York; those in Baltimore to these in Philadelphia; and so on, more to the southward.

* Ibid.

It may not be unamusing to the reader to explain this process a little more in detail. New York purchased largely in Boston, partly for bank notes, and partly on credit. For the latter portion promissory notes were given, which were transmitted from Boston to the New York banks for collection. Very large purchases were likewise made in Boston by citizens of Philadelphia, Baltimore, Richmond, Petersburg, &c. Payments were made in bank notes of the middle and southern states, and in promissory notes. Both were sent on to New York, the first for transmission to the banks whence they were issued—and the second for collection.

This state of things suggested the stupendous idea, at which the reader will stand aghast, of wielding the financial advantages then enjoyed by Boston, to produce the effect which the press and the pulpit had failed to accomplish—that is, *to stop the wheels of the government by draining the banks in the middle and southern states of their specie, and thus disabling the friends of the government from filling the loans!!!* This scheme was projected last winter—and immediate arrangements were made to carry it into execution. It has richly earned for the projectors the heavy curses of the widows and orphans, and other persons on whom it has entailed so much distress.

Accordingly the New York bank notes held by the Boston banks were sent forward with demands for their amount in specie—and drafts were likewise drawn on the New York banks for the balances on the face of the books, to enormous amounts. I am credibly informed that the sum was at least four millions of dollars from the time of commencing these operations till the 29th of last August. To relieve themselves from this pressure, the New York banks drew as largely as the state of the accounts would admit, on those in Philadelphia—the latter on those in Baltimore—those on Richmond, &c.

A fearful alarm spread through the community. The issue was looked for with terror. Waggon were loading with specie at the doors of our banks almost

every week. There have been three at one time loading in Philadelphia. The banks were obliged to curtail their discounts. Bankruptcies took place to a considerable extent. Even wealthy men, who were wholly unprepared for such a crisis, suffered great inconvenience. Some who had subscribed to the loans, were unable to comply with their engagements: and others were withheld from subscribing, by the general pressure for money. In consequence, the loan, then pending, partially failed, to the very great embarrassment of the government, and distress of the public. *This was the nefarious object in view.*

I have before me "A true abstract of the statements of the several bank corporations of Massachusetts, rendered January, 1814," and published by the secretary of that commonwealth, from which it appears that at that period, the specie in the vaults of the Boston banks was—

Massachusetts,	2,114,164	dolls.
Union,	657,795	
Boston,	1,182,572	
State,	659,066	
New England,	284,456	
Mechanics,	47,391	

4,945,444 dolls.

At this time these banks had in circulation only the following amount of notes: of course there could not be the least pretext of want of specie to answer the utmost demand that could be reasonably calculated on:

Massachusetts,	682,708	dolls.
Union,	233,225	
Boston,	369,903	
State,	509,000	
New England,	161,170	
Mechanics,	44,595	

2,000,601

It therefore appears that for every hundred dollars of their notes in circulation, they had nearly 250 dollars

in specie---a state of things probably unparalleled in the history of banking, from the days of the Lombards to the present time.

No man can pretend, that with the above enormous amount of specie, and the moderate amount of notes in circulation, these banks would have thought it either advisable or necessary to make such very unusual and immoderate drafts, unless there were some extraordinary object to be accomplished.

Attempts have been made to justify these proceedings as merely the result of the balance of trade in favour of Boston. It has been asserted, that it was no more than right and proper for the banks of that town to require the balances due them ; and that the case daily occurs, of banks drawing on each other in a similar mode, when balances accrue.

These palliatives will not stand the test of sober examination. A large portion of the heaviest drafts, indeed those that first excited alarm, were made during the winter, when the freight was 20, 25, or 30, per cent. higher, in consequence of the wretched state of the roads, than it would have been, had they waited a few weeks. This is a conclusive circumstance, taken in conjunction with the fact, that there was a superabundance of specie in the Boston banks, and likewise with the laborious, and unceasing and profligate efforts to destroy the public credit.

It is well known to every person in the slightest degree acquainted with banking, that when two banks in different cities carry on a large intercourse with each other, balances will arise in favour of one and against the other, often to a very large amount ; which balances remain unclaimed sometimes for months together, unless the specie be wanted. The banks do not choose unnecessarily to incur the expense of transportation---and wait in expectation of the balance being reduced by the regular operations of trade. I think I am safe in saying that a million of dollars is constantly thus circumstanced, between New York, Philadel-

phia, Baltimore, and Richmond. New York owes largely at times to Philadelphia---Philadelphia at other times largely to New York—and so of banks in other places.

To render the stroke at public credit more unerring—and to place the result wholly out of the reach of contingency, *there was an arrangement made by some persons at present unknown, with agents of the government of Lower Canada, whereby an immense amount of British government bills, drawn on Quebec, were thrown into the markets in New York, Philadelphia, and Baltimore, which were sold to monied men on such advantageous terms as induced them to make large purchases.** And thus was absorbed a very large portion of the capital of these three cities.

These bills were transmitted through the hands of trusty persons in Boston: and the proceeds being placed to their credit, added immensely to the command the Boston banks had over those in the middle and southern states.

Let us here make a solemn pause. Let us strip these facts of the thin veil thrown over them. Let us consider them in all their nakedness, in all their deformity.

My heart sickens at the investigation. I turn with disgust, with horror, with affright. Boston, the cradle of the revolution, which claims so high a degree of pre-eminence for her “morality and religion,” after having failed in her endeavours to prevent the success of the loans, draws away the specie from the middle and southern states, *to bankrupt the government*, regardless of the

* These bills are openly advertised for sale in the Boston papers. I annex an advertisement taken

From the Boston Daily Advertiser, Dec. 16, 1814.

GOVERNMENT BILLS.

1 Bill for	L. 800	} British government Bills for sale by CHARLES W GREEN, No. 14, India Wharf.
1 ditto	250	
1 ditto	203	

L. 1,253

universal ruin in which it would involve indiscriminately friends of war—friends of peace—federalists—democrats—young and old—men, women, and children ! And, *to add a deeper die to the transaction, the specie is transmitted to agents of the governor of Canada, for the purpose of enabling him to dispatch his red allies to swim in blood on the defenceless frontiers of their own country !** This is the work of fell, accursed faction, the heaviest scourge that ever issued from Pandora's box !

The consequences of these vile operations are still severely felt. Many estimable individuals have been absolutely ruined. Bank paper has become an object of brokerage, and is sold at various rates from three to ten per cent. discount. A general stagnation has been produced. The loss falls most heavily on the poor, as is usual in all such cases. The rich are enabled to make most extravagant profits ; and many of them are literally preying upon the middle and poorer classes of society. The entire profits of business are swallowed up by the extravagant discounts paid on bank paper, a case hitherto unknown in this part of the country. And thus, in a season of distress and difficulty, the embarrassment of the citizens is doubled or trebled. And what is the most daring and profligate part of the business, the men who

“ have played these pranks before high heaven,”

are impudent enough to charge the whole of the distress to the account of the administration !

“ The offence is rank—it smells to heaven.”

To render the affair more shocking, more gross, more hideous, those who have perpetrated this wickedness, hy-

* Mr Lowell has attempted to deny the existence of this arrangement. But it stands on too strong ground to admit of being disproved. That these bills, to an immoderate amount, were transmitted from Quebec ; that they were drawn for the support of the armies employed in hostilities against this country ; that they were paid for in specie, devoted to the support of those armies ; are facts too stubborn to be set aside. They are abundantly sufficient to establish the iniquity of the case.

pocratically refuse to rejoice in the victories of their country—as ‘unbecoming a moral and religious people!’

There is not in the world a country, but the United States, wherein such a crime could be perpetrated with impunity. Even by our mildest of all mild constitutions it is treason. “Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, **GIVING THEM AID AND COMFORT.**” If supplying an enemy with specie to enable him to carry on the war against their native country, be not giving him “*aid and comfort*,” and that of the most substantial kind, I know not what are “*aid and comfort.*”

Every man concerned in the business of furnishing these aids to the enemy, *is ipso facto a traitor. His life has been forfeited.* That he has not expiated his crime by paying the forfeit, he owes to the ill-requited lenity of an insulted government. Every person who knew of the commission of the crime, and did not reveal it, was guilty of misprision of treason.

Compare this offence with the rebellion in Massachusetts under Shays, the whiskey insurrection, or with that of the poor, deluded, ignorant Fries! you may as well compare the Andes to Mount Pleasant!

This crime in England would subject the perpetrator either to be hung and gibbeted, or to be hung, drawn, and quartered. In the former case, his carcass would be exposed to be devoured by obscene birds of prey—in the latter, his head would be elevated as an ornament on the tower of London, to deter other traitors from the perpetration of similar crimes.

Let us once more, though the sight turns us aghast, examine this hideous, this execrable scene—which sinks the perpetrators and connivers into the lowest abyss of infamy.

Men in the “*moral and religious*” town of Boston are *obliged to lend their money to their own government by stealth*—but in the face of day, within the knowledge of a whole community, *they send money to the com-*

mon enemy to support him against their own country ! Can human nature sink lower ? They are ~~for~~ "too moral and too religious" to rejoice at the victories of their fellow citizens—but ~~for~~ they are neither "too moral nor too religious" to aid the enemy to victory ! An age of penitence in sack-cloth and ashes would not efface this foul blot from the escutcheon of Boston.

It is hardly possible to add a shade to the enormity of this crime. But one circumstance enhances its atrocity. It was perpetrated while negotiations for peace were going on, the success whereof it had so direct a tendency to defeat, by placing the British in a state to rise in their demands ; although the guilty persons professed to belong to the "peace party."

The immense magnitude of this subject induces me to dwell a little longer on it. And as I may have been led astray by the blindness which is felt by almost every man who forms an hypothesis, I shall therefore state anew the naked facts of the case, unaccompanied by my comments. Let the reader duly weigh the evidence, and acquit or condemn the accused town as he may judge proper.

First, engagements were entered into in Boston by individuals pledging themselves not to subscribe to the government loans.

Secondly, when some of them afterwards did subscribe, they found it necessary to do it "*secretly*," to avoid the odium which was excited against all who lent their money to the government.

Thirdly, the utmost influence of that powerful instrument, the press, and likewise of the pulpit, was employed to discourage and denounce subscribers to the loans.... They were proscribed as "*infamous*" in the public papers most extensively patronized, and declared, in those papers, and from the pulpit, to be absolute "*murderers*."

Fourthly, during the winter, when the roads were in wretched order, and when carriage was of course from 20 to 30 per centum dearer than the common freight, ~~for~~ the Boston banks made immoderate, continued.

oppressive, unprecedented, and hostile drafts of specie on the New York banks.

Fifthly, at this period the former banks had in their vaults an unparalleled quantity of specie—*one hundred and fifty per cent. more than their notes in circulation,*

Sixthly, these drafts were continued through the spring and summer, and obliged the banks in the middle and southern states so far to curtail their accommodations, as to bring the commercial world to the verge of bankruptcy. Large and ruinous bankruptcies did take place: twenty and upwards occurred in New York in one day.

Seventhly, the drain of specie was carried so far that on the 26th of August the banks in Baltimore—on the 29th those in Philadelphia—and on the 31st those in New York were reduced to the painful necessity of suspending the payment of specie.

Eighthly, contemporaneously with these immoderate drafts, a very large amount of bills drawn by the government of Lower Canada, were, through the medium of agents in Boston, distributed in New York, Philadelphia, and Baltimore.

Ninthly, these bills prodigiously increased the balances against the southern banks, and the power of drawing possessed by those in Boston.

Tenthly, *the specie received for these bills from New York was forwarded to the agents of the government of Canada.*

Eleventhly, when subscriptions for loans were opened, large quantities of public stock were sent from Boston, and thrown into the markets in New York, and Philadelphia, and Baltimore, and sold at reduced rates, to tempt the monied people to invest their money therein, and thus to impede the success of the pending loans.*

I submit all these strong facts to the reader. Let him examine them, and decide for himself. If he be an upright, candid, honourable man—if he have a

* I here publicly challenge any man to disprove these clear allegations.

spark of public spirit in his composition—if he have not renounced all pretensions to the name of a Washingtonian—he will pronounce sentence of infamy against this transaction, all its agents, its emissaries, its accomplices, and against all who connived at it. If this be "*federalism of the Boston stamp*," I trust the high-minded and honest federalists of the middle and southern states, will renounce the odious connexion, and disclaim all participation in such nefarious, such treasonable practices.

The millions of dollars, which form so capital an item in Mr. Oakley's late speech, were lost to the government by this conspiracy.

A few ambitious demagogues in Boston have been the guide of federalists throughout the union. They have led them a devious course from the paths prescribed by Washington. They have allured them to the brink of insurrection, rebellion, civil war, and horrible devastation, which are all synonymous with a dissolution of the union. Whether the latter will have magnanimity enough to regain the honourable paths from which they have been seduced, remains to be seen. Their cotemporaneous fame—their character with posterity—their peace, their happiness, their prosperity—the fate of their wives and children—the destiny of their country—the question whether we shall be united as a band of brothers, or involved in civil war, with its train of horrors—are all at stake. The stake is immense. Pray heaven they may form a just and enlightened decision!

CHAP. XXXVII.

Massachusetts compared with Tennessee. The blind leading the blind. Profits of trade fifty per cent! Road to Ruin.

Never did faction more completely degrade and sink a people, than she has done in Massachusetts. That once high-minded state has been attacked by

the British with a small force. They have been allowed without an effort to dismember it. They have established a regular government in their conquests. As no effort was made by this state, whose population amounts to above 700,000 free people, to prevent the conquest, so none is made to expel the enemy. Enslaved by faction, she whines, and scolds, and murmurs, and winces, and threatens, and curses the administration for not defending her, although she had made every possible exertion to enfeeble the government, and render it incapable of defence.

To sum up the whole. Massachusetts is energetic, firm, bold, daring, and decisive in a contest with the general government. She will not abate an inch. She dares it to a conflict. She seizes it by the throat, determined to strangle it! She is untameable as a lion, or a tiger, or a panther. But she is long-suffering, and mild, and patient, and harmless, and inoffensive, and gentle, and meek, as a lamb, or a turtle dove, when she comes in contact with the enemy!

There is some mystery hangs about this affair, which time alone can develop. That the British should attack Massachusetts, where they have so many friends, and spare Pennsylvania, where the great majority are hostile to them, is so contrary to all the rules of true policy, as to be almost inexplicable. I dare not trust myself to hazard a conjecture on the subject. The tame acquiescence of such a powerful state, in so degrading a situation, must have some extraordinary motive. None occurs to my mind that I would choose to commit to paper.

But mark the contrast!—what a contrast! Tennessee, with a large territory of 43,000 square miles—a white population of only 217,727, and a black one of 44,535, to guard against, is assailed by the most powerful combination of Indians, and those of the bravest character, that ever existed since the first settlement of this country.—She neither winces—nor whines—nor curses the government—nor shrinks from danger—nor threatens a separation. She rises in her strength.

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She girds on her armour. She calls her sons from their counters and their ploughs—from their anvils and their looms—from the bench and the bar—from the senate house and the council chamber—and with a very small degree of assistance from Georgia, she vanquishes the hardy warriors whom a false reliance on British aid had decoyed to their ruin. Every successive effort on the part of the deluded assailants is equally pregnant with destruction. Completely vanquished, they bend their necks to the yoke. They curse that seduction which tempted them from ease, and comfort, and happiness, and imprinted on the forehead of their nation, the broad seal of perdition.

The genius of Columbia hides her face with shame, and sorrow, and anguish, when she regards the ancient state of Massachusetts, degenerated from, and a disgrace to, her hardy ancestors. But she looks down with pride and pleasure, and exultation, on the youthful, high spirited, patriotic, and heroic Tennessee and Georgia.

It is hardly possible to find a stronger contrast—more disgraceful on the one side—more honourable on the other.

The blind leading the blind.

There is no man whose zeal in inflaming the public mind, has equalled that of the writer of the Road to Ruin. He has published as many different sets of papers to excite the abhorrence and detestation of New England against the administration, as would fill two or three volumes. He is, in politics, as very an enrage as ever lived. So violent are his passions on this topic, that they lead him eternally astray. He commits himself by the most extravagant positions, which nothing but the epidemical madness of the times would have ever suffered to escape the keenest ridicule.

In "the Road to Ruin," he most pathetically deplores the destruction of commerce, and the introduction of manufactures, both of which he regards as equal sub-

jects of lamentation. And to make the stronger appeal to the passions of his reader—to enhance the misfortune of the loss of commerce—he very gravely states its profits at “*fifty per cent!!!*” It is hard to conceive a higher grade of extravagance and folly. The average profits of successful commerce are not twelve per cent. And if the whole of the commercial capital employed during the last twenty years be taken into view, including that of the merchants who have become bankrupts, it is probable that the profits do not exceed eight per cent. The failures among that class are very numerous, and out of all proportion greater than among any other. Of the merchants in New York and Philadelphia who were in eminence ten years ago, I think I am warranted in saying that nearly two thirds have been utterly ruined. It is well known, that the West India trade has been almost always a losing one—in fact, of the few fortunate merchants who escape shipwreck, it may be fairly said,

“*Apparent rari nantes in gurgite vasto.*”

This writer is either a deceiver—or he has deceived himself. In either case, he is “*a blind leader of the blind:*” And it can never be sufficiently deplored, that a man in this situation should have had so commanding and so very pernicious an influence on the destinies of eight millions of people and their posterity. He has chosen a most felicitous title—“*the Road to Ruin*”—for verily he has so long been leading his deluded followers on “*the road to ruin,*” that he has brought them to the very verge of the precipice.

Lest the reader should suppose I have done him injustice, I submit his own words. If I have tortured his meaning, on my head be all the censure I have so freely bestowed upon him—

“*We take from trade a capital which produced FIFTY PER CENT, and we invest it in manufactures, PRECARIOUS IN THEIR NATURE, which may never produce twenty, and which may prove our ruin.*”*

* See in the Examiner, vol. I. page 441, the Road to Ruin, No. VIII.

This short paragraph is as fallacious as any equal number of lines ever published. Every position it lays down is deceptious. When the writer emphatically states, that manufactures are "*precarious in their nature,*" he must mean, by way of contradistinction, that commerce is blest with absolute security. Both are arrant errors. Commerce is proverbially insecure. No degree of prudence affords full security in that department. Manufactures, prudently managed, have as much certainty as any other human undertakings whatever.

One word more. What dependence can be placed upon the assertions, the insinuations, the allegations, on subjects abstruse or difficult to decide upon, of a man who makes such an egregious, such a momentous error in a case where detection treads so closely on his heels ?*

CHAP. XXXVIII.

Pulpit politics. Vile prostitution of the sacred functions. Massacre on board the Ocean. An anthology of sedition. Success of the war.

Of all the abominations that disgrace and dishonour this country in these portentous times, I know nothing more deserving of reprobation than the prostitution of the pulpit for party or political purposes. No man of correct mind can seriously reflect upon it without shuddering with horror.

A clergyman whose functions pre-eminently require him to preach "*peace and good will among men*" ascends the pulpit among a congregation assembled to unite in praising and adoring their Omnipotent Creator. *He holds in his hands the Testament of Jesus Christ, which breathes nothing but peace—he pronounces, and has for a text the words of Jesus Christ, or of his apostles of the*

* I here make a public apology for having erroneously ascribed these seditious and inflammatory publications to the late amiable Judge Lowell. My distance from the place of publication will, I trust, apologize, as well as account for the error.

most pacific tendency: and, by way of a suitable accompaniment, for an hour long he employs all his zeal, all his talents, all his influence, for the anti-christian purpose of enkindling among his hearers the most baleful, the most furious passions—of preparing them for insurrection and revolution—for all the horrors of civil war.

"The alternative then is, that if you do not wish to become the slaves of those who own slaves, and who are themselves the slaves of French slaves, you must either in the language of the day, *CUT THE CONNEXION*, or so far alter the national compact, as to insure yourselves a due share in the government."

This elegant and sublime morceau, which breathes so much of the spirit of St. Paul, "*let every soul be subject to the higher powers,*" is taken from a sermon preached in Boston, by the Rev. Mr. Gardiner, July 23, 1812. The christian injunction of "*cutting the connexion,*" that is, rebelling against their own government, wonderfully accords with the declaration of the text, which, gentle reader, is—"I am for peace." Psalm 120, v. 7. Never was there a more wonderful association—*✂ "Cut the connexion"*—and *✂ "I am for peace!"* From such apostles of peace, good Lord deliver us!

This practice is abominable when a congregation is all united--all of one sentiment, if such a case ever occurred. But when they are divided, as must necessarily almost always happen, what a view does it present? That portion of the congregation differing from the politics of the preacher, are reduced to the alternative of either absenting themselves from divine worship, or sitting patiently silent under the undeserved reproaches, and abuse, and maledictions of a man who flies in the face of all his duties, and to whom they cannot offer a reply.

It is impossible much to aggravate the hideousness of this procedure. But when the preacher commits himself by falsehood, even undesignedly, as sometimes happens, it caps the odious climax. On the eve of a general election a few years since in Massachusetts, to answer the

purposes of party, a fabulous story was circulated, of the massacre, by the French, of the crew of a vessel called the Ocean. It was one of the thousand falsehoods invented to answer momentary purposes of the same kind. A clergyman, whose name I spare, seized the story with avidity---wove it into his sermon---and invoked the vengeance of heaven on the murderers. But mark the end of it. The holy zeal of the auditory had not time to cool, when, to cover the preacher with confusion, a resurrection of the murdered crew took place; they returned home safe and sound from the stilettos and daggers of the blood-thirsty French---and held out a strong memento to the preacher against a repetition of such an antichristian procedure.

To enable the reader to form a correct estimate of the abomination which I have here denounced, and of the correctness of the denunciation, I present him with an anthology, selected from the sermons of three clergymen, the Rev. Messrs. Parish, Osgood, and Gardiner, to whom no small portion of the seeds of insurrection, rebellion, and civil war, so plentifully sown in the eastern states, is justly chargeable. Never, since the first establishment of the clerical functions, were they so miserably employed---so contrary to the divine injunctions of the meek and mild Jesus, whose disciples these reverend gentlemen profess to be---whose doctrines they profess to teach---and whose example they profess to follow, and to hold out for imitation.

"It is a war *unexampled* in the history of the world; *unwarrantably* proclaimed on the *most frivolous and groundless pretences*, against a nation from whose friendship we might derive the most signal advantages, and from whose hostility we have reason to dread the most tremendous losses." *Discourse delivered at Trinity Church, Boston, July 23, 1812, on a day of public fast, by J. S. J. Gardiner, A. M. page 3.*

"So far from there being British partizans in this country, it is difficult to find an individual candid enough to do that nation common justice," *Idem, page 10.*

"Every provocation has been offered to Great Britain on our part, and our resentment has risen in proportion as she has shewn a conciliating spirit." *Idem, page 12.*

"What consequence is it to you if they be repealed or not, if you are sold to Napoleon, as you have reason to believe, by the slaves who have abused your confidence!!" Idem, page 11

"Let no considerations whatever, my brethren, deter you at all times, and in all places, from execrating the present war. It is a war, unjust, foolish, and ruinous. It is unjust, because *Great Britain has offered us every concession short of what she conceives would be her ruin.*" Idem page 15.

"As Mr. Madison has declared war, let Mr. Madison carry it on." Idem, page 17.

"If at the command of weak or wicked rulers, they undertake an unjust war, each man who volunteers his services in such a cause, or loans his money for its support, or by his conversation, his writings, or any other mode of influence, encourages its prosecution, that man is an accomplice in the wickedness, *loads his conscience with the blackest crimes, brings the guilt of blood upon his soul, and, in the sight of God and his law, is a murderer.*" *A solemn protest against the late declaration of war, in a discourse delivered on the next Lord's day, after the tidings of it were received.* By David Osgood, D. D. Pastor of the church in Medford. Page 9

"Since the period of their pretended repeal, scores, if not hundreds of our vessels had been seized in French ports, or burnt at sea by French cruisers, while many of their unoffending crews were *manacled like slaves, confined in French prisons, or forced on board French ships to fight against England*" Idem, page 11.

"Our government, with a hardihood and effrontery *at which demons might have blushed,* persisted in asserting the repeal." Ibid.

"My mind has been in a constant agony, not so much at the inevitable loss of our temporal prosperity and happiness, and the complicated miseries of war, as at its guilt, its outrage against heaven, *against all truth, honesty, justice, goodness—against all the principles of social happiness.*" Idem, page 12.

"Were not the authors of this war in character nearly akin to the deists and atheists of France; were they not men of *hardened hearts, seared consciences, reprobate minds, and desperate wickedness,* it seems utterly inconceivable that they should have made the declaration." Idem, page 13.

"One hope only remains, that this last stroke of perfidy may open the eyes of a besotted people, that they may awake, like a giant from his slumbers, and *wreak their vengeance on their betrayers,* by driving them from their stations, and placing at the helm more skilful and faithful hands." Idem, page 17.

"If, at the present moment, no symptoms of civil war appear, *they certainly will soon—unless the courage of the war party should fail them.*" Idem, page 14.

"*A civil war becomes as certain as the events that happen according to the known laws and established course of nature*" Idem, 15.

"Nothing short of the surrender of every maritime right on the part of Great Britain, and her entire prostration, would satisfy Napoleon and his American pro-consul." Idem, page 12.

"The British, after all, save for us by their convoys, infinitely more property than they deprive us of. *Where they take one ship, they protect twenty*. Where they commit one outrage, they do many acts of kindness." *Discourse by the Rev. J. S. J. Gardiner April 9, 1812*

"The Israelites became weary of yielding the fruit of their labour to pamper their splendid tyrants. They left their political woes. They separated. *WHERE IS OUR MOSES? Where is the rod of his miracles? Where is Aaron?* Alas! no voice from the burning bush has directed them here." *Discourse delivered at Byfield, April 7, 1814. By Elijah Parish D. D. page 18.*

"Such is the temper of American republicans, so called. A new language must be invented before we attempt to express *the baseness of their conduct, or the rottenness of their hearts*" *Idem, page 21.*

"New England if invaded, would be obliged to defend herself. Do you not then owe it to your children, and owe it to your God, *to make peace for yourselves?*" *Idem, page 23.*

"Alas! *We have no Moses to stretch his rod over the sea!*" No Lebanon, nor Carmel, nor Zion invites us across the deep." *Idem, page 14.*

"Which sooty slave in all the ancient dominion has more obsequiously watched the eye of his master, or flew to the indulgence of his desires more servilely, than the same masters have waited and watched, and obeyed the order of the great Napoleon?" *Discourse delivered at Byfield, April 8, 1813. By Elijah Parish, D. D. page 21.*

"Let every man who sanctions this war by his suffrage or influence, remember that he is labouring to cover himself and his country with blood. *The blood of the slain will cry from the ground against him.*" *Idem, page 23.*

"How will the supporters of *this anti-christian warfare* endure their sentence—endure their own reflections—*endure the fire that forever burns—the worm which never dies—the hosannas of heaven—the smoke of their torments ascends forever and ever?*" *Idem, page 24.*

I had begun to write some comments on these extracts. But I have changed my purpose. I leave them to the judgment of the reader. I shall simply say, if the preachers believed all they asserted, what transcendent infatuation! If they did not, what transcendent turpitude! In either case, what transcendent *profanation of the clerical functions!*—and of a religion breathing peace and good will among men!

Success of the War.

The enemies of the administration have been lavish of their reproaches, on the ill-success of the war, which to many of them has been a subject of as much triumph, as if they belonged to a hostile nation---as if whatever dishonour and disgrace may arise from it, attach themselves wholly to the administration. The blindness and perversity of the public mind, on this topic, are utterly astonishing. Whatever of glory is acquired, or of disgrace sustained in the war, its friends and enemies partake equally in the eyes of the world.

It has been likewise a subject of reproach to the administration, and of rejoicing to some deluded people whom party passions have led astray, that the administration has abandoned its ground on the subject of impressment! A most melancholy subject of rejoicing! It is not the power of England, nor the downfall of Bonaparte, that has produced this abandonment of the claims of the poor suffering nautical hero! No. Internal discord, more fatal than tens of thousands of embattled enemies, has riveted the chains of impressment on countless numbers of future Hulls, Perrys and M'Donoughs.

But had the war been infinitely more unsuccessful than it has been, it would not be surprising. It would have worn a different aspect, and covered the nation with the proudest laurels had Boston observed an impartial neutrality. But she has persecuted the government with as much virulence, and malignity, and violence as if it was administered by demons incarnate. She has involved in the vortex of disaffection no small portion of the population of her own and sister states, and has *done England more effective service, than all her armies.**

* Of the stile and manner in which the government has been assailed on the subject of the loans, the reader will find in pp. 291, 2, and 3, a few specimens. Many of the paragraphs on this and other topics display a degree of malice, and virulence, and ribaldry, that can only be equalled by the writers of the *Courier* and the *Times*. Adhesion to the enemy is visible in the elaborate defences of his conduct that so fre-

The war, to the mortification of the enemies of the country, has crowned the United States with naval glory. We have more impaired the naval standing of Great Britain, than all the enemies she has had for half a century, and our Scotts, and our Browns, and our Gaineses, and our Macombs, and our Jacksons have satisfied the world, that nothing but our intestine divisions prevent us from acquiring by land, honour and glory equal to what has been acquired on the water by our Hulls, Decatur, Bainbridges, Perrys, Joneses, and M'Donoughs.

Let those infatuated men who have caught the government by the throat, and almost strangled it, by the destruction of its credit, and by shackling all its efforts, only reflect for a few minutes calmly on the effect of their conduct. They desired peace. But they have really prolonged the war. If, notwithstanding the immense disadvantages under which it has been carried on, by the disaffection of such a large body of our citizens, we have so harassed and crippled the trade of the enemy, what would have been the result, had the united energies of the nation been employed to avenge the national wrongs ---had all the ports of the eastern states contributed their portion towards the common cause? Great Britain would in that case have been sick of the war in twelve months. She would have given us an honourable peace. Millions of debts and taxes would have been saved---thousands of lives on both sides preserved---and the destruction of public and private credit prevented....The two nations would have been long since restored to the relations of commerce and friendship. This is an awful view of the labours of the "*peace party*."

quently appear in a large proportion of the papers published to the eastward. And, strange to tell, there was a most elaborate set of essays published under the signature of Pacificus, defending the monstrous claim to 165,000,000 of acres of our territory as a condition of peace.

CHAP. XXXIX.

Parties change names and character. Jacobins. Definition. Unholy struggle for power, the cause of all our difficulties. Candid confession.

Parties sometimes change their names, and retain their principles. But they more frequently change their character, and conduct, and principles, though they retain their names. On many occasions in England, whig administrations have enforced tory measures. And some of the most whiggish measures have been adopted by tory administrations. Very many of the democrats in 1793, particularly in the western parts of Pennsylvania, were rank jacobins and disorganizers. They offered violence to the government, and raised an insurrection to free themselves from a paltry excise on whiskey, one of the most rational and salutary taxes ever devised. Most of those men who then violated the laws in this respect are now strenuous supporters of the government.

On the other hand, the federalists of 1793, 4, 5 and 6, were zealous "*friends of order and good government.*" This was with them a sort of watch-word. They were ardent supporters of the honour of the constituted authorities, which they identified with their own. A very large portion of them still adhered to the good old faith and practice. But there are too many who are as arrant jacobins and disorganizers, and as ripe for tumult and commotion, as the most violent of the democrats in 1793. They may murmur and may curse me for this declaration as much as they please. I care not. They may exhaust Ernulphus' whole collection of maledictions on my devoted head. But were these maledictions ten times told over, they would not efface from their escutcheon the foul blot of jacobinism. A jacobin is a man of violence in politics—an enemy to legal government—and ripe for revolution. This definition is substantially cor-

rect. And therefore every man is a jacobin, who is *for sending to Elba, the President of the United States*, chosen by the unbiassed votes of a free nation. Every man is a rank jacobin, who is *for putting down the administration* by force. Every man is a rank jacobin, who with Mr. King of Massachusetts, regardless of decency, decorum, propriety, or dignity of character, threatens the president in an innuendo *with a halter*. To the disgrace of the house of representatives of the United States, this vile piece of Billingsgate was suffered. *Every man is a rank jacobin*, who, with Mr. Coleman, prefers war with all its horrors, all its devastations, to a continuance of the present administration. Every man is a rank, furious, envenomed, and dangerous jacobin, who, with Mr. Blake, a *quondam democrat*, seizes the advantage of a distressing war, to organize one portion of this nation against the rest.*

In fine, every man who wishes the minority to trample down and rule the majority—who himself opposes, or who excites opposition to the laws—who seeks to dissolve the union under any pretext whatever—who defends the enemies of his country right or wrong, and slanders and

* Mr. Blake is likely to be a conspicuous character. Neither Marat, Danton, nor Robespierre began their career with more violence than he has already displayed. *Nemo repente turpissimus*. He will improve as he goes on. I stake my existence, that should a civil war take place—as will be the case, should Mr. Blake's counsels prevail—and should his party not be crushed in the conflict, as they probably will—if he has the ascendancy, there will be as summary process with the democrats of that quarter, as there were with the royalists under the guillotine government of Paris.—*Men are monsters all the world over, when unrestrained by law and constitution*. I hope in the tender mercy of God, we shall not try the experiment. But if, in the vengeance of heaven, we are destined to do it, we shall add our example to that of France in proof of the theory. Mr. Blake transcends his friend Mr. Otis far. The latter gentleman is surely violent enough—but he is obliged to curb and restrain the converted democrat. Perhaps this is a *ruse de guerre*—perhaps the outrageous violence of Mr. Blake is intended to form a contrast to the mildness of the project of Mr. Otis, who is thereby to gain the popular title of a *modere*. Old Lord Burleigh, or Machiavel himself, could not arrange the matter better. But, reader, I do but guess at these things. I am too far removed from the chess board, to judge of the state of the game.

degrades his own government, is an enrage—a disorganizer---a jacobin.

Struggle for Office.

It is in vain to disguise the truth. Would to God, I had a voice of thunder to proclaim it through the nation! All the convulsions and dangers of the country have arisen from the lust of office and power. To embarrass, disgrace, and render odious and unpopular the men possessed of power for the purpose of displacing them, and vaulting into the vacant seats, is as ancient a procedure, as government itself. And that it has been almost universally prevalent here, is beyond doubt. It is not wonderful that those whose grand and sole object is power, should pursue this plan. The depravity of human nature sufficiently accounts for it. But that a large portion of the community who neither have nor hope for place of honour, or profit, should lend themselves to such a scheme—should allow themselves to be made instruments to be wielded for the purpose—that they should, as the history of this young country has often verified, shut their eyes to the vital interests of the nation, to promote the aggrandizement of a few men, is really astonishing.

The following paragraph from the New York Evening Post, is the most candid confession of a sinister object that ever was made. While we are exposed to all the horrors of war—our cities and towns liable to Copenhagenism—our wives and our daughters to violation—it is ingenuously avowed, that all these frightful things *are of no account compared with the exclusion of Mr. Coleman's friends from office.* It is impossible to mistake the idea. It is capable of no other than this interpretation. However we reprobate its want of public spirit, its candour commands applause.

“What would be the value of a peace, if not attended with a change of those rulers who are driving the country headlong to ruin? **A PEACE, if such be its effects, WOULD BE THE HEAVIEST OF CURSES.**—There is no event that could happen—no possible condition of things that can be imagined, which ought not to be deplored, and avoided, as the **HEAVIEST OF CALAMITIES**, if its tendency is to perpetuate

power in the profligate hands that for sixteen years have governed this unhappy country."

The man who can read these declarations without shuddering with horror, must have his moral feelings destroyed, or at least blunted to an extreme degree. These sentiments have appeared in other papers besides the New York Evening Post.

This paragraph affords a complete clue to all the convulsive struggles in congress--all the efforts to prevent the success of every measure calculated to meet the present emergency. The possession of power on the one hand, or the perdition of the country on the other, are the alternative. The actors have no hesitation about forcing the choice on their ill starred country.

CHAP. XL.

Illiberality of prejudices against foreigners. Ungrateful on the part of America. Irishmen and Frenchmen peculiarly objects of dislike. Pennsylvania line. Extreme suffering. Tempting allurements. Unshaken virtue and heroism. Arnold. Silas Deane. Refugees.

"The real causes of the war must be traced to * * * * and the influence of worthless foreigners over the press, and the deliberations of the government in all its branches." *Reply of the house of representatives of Massachusetts to the speech of governor Strong, June, 1814.*

"Tread on a worm, and it will turn."

I have long panted for a fair opportunity of handling this topic. I have long felt indignant at the indiscriminate abuse hurled on foreigners in general--and more particularly on the Irish, on whose devoted heads "*the vials of wrath*" are incessantly "*poured out.*"

There is no country that owes more to---there is no country has more need of---foreigners. There is no country in which they are more the objects of invective, of reproaches, of envy and jealousy.

A jealousy of foreigners prevails in England. But it is confined to the canaille, who, trundling their barrows—sweeping the streets—or pursuing their genteel offices of chimney sweeps and night men—hate and despise the *bag and tail parleyvoos*---the blundering Irishman---the simple sawney Scotchman---the leek-eating Welchman. In fact, every man who wears a coat different from their own, or who displays any indication that proves him not to be a "true-born Englishman," is an object of contempt to an English scavenger.

But it is not thus in high life in that country. A foreigner of genteel manners---decent address---and good character, is treated with the attention and politeness he deserves.

With a degree of magnanimity, deserving of praise, and worthy of being made an example, England, who possesses abundance of artists of high standing and sterling merits, appointed the American West, as president of the royal academy. France, with a constellation of native talents never exceeded, confided her finances to a Swiss banker, Necker. At another period, she entrusted her armies to a Berwick, to a Saxe. Russia placed over her fleets Scotch naval heroes. In fact, go through Christendom, and you will find there is no country so savage, so uncultivated, or so highly polished and refined, which does not cheerfully avail itself of the proffered talents of the foreigner who makes his permanent domicile there.

But in this "*most enlightened*" of all the enlightened nations of the earth, party spirit has excited a peculiar degree of malevolence against the Irish and the French---and for the same reason, because England is hostile to both. The urbanity, the mildness, the equanimity, the refinement, and the politeness of the Frenchman avail him nothing. He is an object of jealousy and hate, in spite of all his own good and endearing qualities, and in spite too of the services his nation "*in the fiery hour of trial*" rendered the United States. The poor, persecuted, proscribed, and oppressed Irishman, hunted out of his

own country, and knowing the value of liberty here, from the privation of it there, finds the antipathies of his lords and masters transferred to many of those whose fellow citizen he intends to become. To some of these narrow, infatuated, bigotted, and illiberal men, a Hottentot, or a Caffrarian, or a Japanese, would be more acceptable than an Irishman.

One circumstance—were there no other on record—ought to endear to Americans, the name, the country of an Irishman. It has a high claim, not cancelled, on the pen of the historian. It has not yet had justice done it. Let me grace my book with the narrative.

During the American revolution, a band of Irishmen were embodied to avenge in the country of their adoption the injuries of the country of their birth. They formed the major part of the celebrated Pennsylvania line. They fought and they bled for the United States. Many of them sealed their attachment with their lives. Their adopted country was shamefully ungrateful. The wealthy, the independent, and the luxurious, for whom they fought, were rioting in all the comforts and superfluities of life. Their defenders were literally half starved, and half naked. Their shoeless feet marked with blood their tracks on the highway. They long bore their grievances patiently. They at length murmured. They remonstrated. They implored a supply of the necessities of life. But in vain. A deaf ear was turned to their complaints. They felt indignant at the cold neglect--- at the ingratitude of that country for which so many of their companions in arms had expired on the crimsoned field of battle. They held arms in their hands. They had reached the boundary line, beyond which forbearance and submission become meanness and pusillanimity. As all appeals to the gratitude, the justice, the generosity of the country had proved unavailing, they determined to try another course. They appealed to its fears. They mutinied. They demanded with energy that redress for which they had before supplicated. It was a noble deed.

I hope in all similar cases, similar measures will be pursued.

[Let me digress for a moment. I cannot resist the temptation to bear my testimony against a conduct considerably analogous to what I have reprobated. Philadelphia was lately struck with fear of an invading foe. Thousands of citizens, many of them hundreds of miles remote from us, volunteered their services in our defence. They left their homes, their fire-sides, their parents, their wives, their children, and their business, to protect us. And we made them a safe return. They pined and languished in the hardships of a camp, neglected, grossly neglected by those for whom they were prepared to risk their precious lives. Contributions were requested by the committee of defence for the comfort of the soldiers, and for the support of their wives and children. It is painful to state, that in a city where there are probably one hundred persons worth above 250,000 dollars---thirty worth 3 or 400,000---and some supposed to be worth millions---the whole contribution did not exceed 5,000 dollars---a sum which half a dozen individuals ought to have contributed themselves.]

“ The quality of mercy is not strained :
 “ It droppeth as the gentle dew from heaven
 “ Upon the plain beneath It is twice bless'd,
 “ It blesseth him that gives, and him that takes.”

The sun has not shone on more despicable conduct.]

To return to the Pennsylvania line. The intelligence was carried to the British camp. It there spread joy and gladness. Lord Howe hoped that a period had arrived to “ *rebellion*,” as it would have been termed. There was a glorious opportunity of crushing the half formed embryo of the republic. He counted largely on the indignation, and on the resentment of the natives of “ *the emerald isle*.” He knew the irascibility of their tempers. He calculated on the diminution of the strength of “ *the rebels*,” and the accession to the numbers of the royal army. Messengers were dispatched to the mutineers. They had carte blanche. They were to allure the poor

Hibernians to return, like prodigal children, from feeding on husks, to the plentiful fold of their royal master. Liberality herself presided over his offers. Abundant supplies of provisions---comfortable clothing to their heart's desire---all arrears of pay---bounties---and pardon for past offences, were offered. There was, however, no hesitation among these poor, neglected warriors. They refused to renounce poverty, nakedness, suffering, and ingratitude. The splendid temptations were held out in vain. There was no Judas, no Arnold there. They seized the tempters. They trampled on their shining ore. They sent them to their general's tent. The miserable wretches paid their forfeit lives for attempting to seduce a band of ragged and forlorn, but illustrious heroes. We prate about Roman, about Grecian patriotism. One half of it is false. In the other half, there is nothing that excels this noble trait, which is worthy of the pencil of a West or a Trumbull.

Let me reverse the scene. Let me introduce some characters of a different stamp. Who is that miscreant yonder--dark, designing, haggard---treachery on his countenance---a dagger in his hand? Is it not Arnold? It is. Was he an Irishman? No. He was not of the despised cast, the foreigners. He was an American. Irish blood flowed not in his veins.

Behold, there is another. Who is he, that Judas like, is pocketing the wages of corruption for which he has sold his country? Is he an Irishman? No. He is a native American. His name is Silas Deane.

But surely that numerous band of ruffians, and plunderers, and murderers, who are marauding and robbing---who are shooting down poor farmers and their wives, and their children, are "*foreigners*." It is impossible they can be natives. No native American would perpetrate such barbarities on his unoffending fellow citizens. It is an error. They are refugees and tories---all native born.

I am an Irishman. With the canaille in superfine cloths and silks, as well as with the canaille in rags

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and tatters. This is a subject of reproach. For every man, woman or child, base enough to attach disgrace to any person on account of his country, I feel a most sovereign, an ineffable contempt. Let them move in what sphere they may, whether in coffee houses or ball rooms, or pallaces, or in hovels, or garrets, or cellars, they are groveling, sordid and contemptible---To express the whole in two words---pity there were not words more forcible---they are MERE CANAILLE.

Glory, I feel a pride in the name of an Irishman.... There is not under the canopy of heaven another nation which, ground to the earth as Ireland has been, for six hundred years, under so vile a pro-consular government---almost every governor a Verres,---a government whose fundamental maxim is "divide and destroy"---whose existence depends on fomenting the hostility of the protestant against the presbyterian and catholic, and that of the catholic against the protestant and presbyterian---there is not, I say, another nation, which, under such circumstances, would have preserved the slightest ray of respectability of character.

Notwithstanding all these grinding, these debasing circumstances, there is no country in Christendom, which has not witnessed the heroism, the generosity, the liberality of Irishmen---none, where, notwithstanding the atrocious calumnies propagated against them by their oppressors, they have not forced their way through the thorny and briery paths of prejudice and jealousy, to honour, to esteem, to respect.

It has been said that they are in this country, turbulent, and refractory, and disorderly, and factious. The charge is as base as those by whom it is advanced. There is more turbulence, more faction, more disaffection in Boston, whose population is only 33,000, and which has as few foreigners as any town in the world, than there is in the two states of Pennsylvania, and New York, with a population of 1,700,000, and which contain probably two thirds of all the native Irishmen in this country. While native born citizens, some of whom pride them-

selves on Indian blood flowing in their veins, and others who boast of a holy descent from those "*fainted pilgrims*" whom British persecution drove to the howling wilderness, are sacrilegiously and wickedly destroying the glorious (would to heaven I could say the immortal) fabric of our almost divine form of government. Of the Irishmen in this country, high and low, ninety nine of every hundred are strenuously labouring to ward off the stroke.

I said there is no country that owes more to foreigners than the United States. I owe it to myself and to my reader, not to let a point of such importance rest on mere assertion. Of the men who acquired distinction in the cabinet, or in the field, during the revolutionary war, a very large proportion were foreigners. In "the times that tried men's souls," their services were acceptable—they were gladly received, and courteously treated. But now, like the squeezed orange, they are to be thrown aside, and trodden under foot.

The illustrious La Fayette, Gen. Lee, Gen. Gates, Gen. Stewart, the ineffable Gen. Montgomery, Gen. Pulaski, Gen. Kosciuszko. Baron Steuben, Baron De Kalb, Gen. M'Pherson, Gen. St. Clair, Gen. Hamilton—Robert Morris, the amiable Charles Thompson, Judge Wilton, Baron De Glaubec, Thomas Fitzsimons, William Findley, and hundreds of others, eminent during the revolution, were foreigners, and many of them were not excelled for services, and merits by any native American, whether the dingy blood of a Pocahontas crawled through his veins, or whether he descended in a right line from any of "the Pilgrims" that waged war against the potent Massasoit.

Since the preceding pages were written, I have met with a pamphlet of infinite merit, said to be written by one of the authors of *Salmagundi*, from which I quote the following statement with pleasure—as affording an able vindication of the Irish nation, and a fair detail of the oppressions and wrongs they have endured. In the name of the nation I thank the writer for this generous

effusion, of which the value is greatly enhanced by the extreme rarity of such liberality towards Ireland or Irishmen on this side of the Atlantic. The work in question, has, moreover, the merit of being an excellent defence of this country against the abuse of British critics.

"The history of Ireland's unhappy connection with England, exhibits, from first to last, a detail of the most persevering, galling, grinding, insulting, and systematic oppression, to be found any where *except among the helots of Sparta*. There is not a national feeling that has not been insulted and trodden under foot; a national right that has not been withheld, until fear forced it from the grasp of England; or a dear, or ancient prejudice, that has not been violated in that abused country. As Christians, the people of Ireland have been denied, under penalties and disqualifications, the exercise of the rites of the catholic religion, venerable for its antiquity, admirable for its unity, and consecrated by the belief of some of the best men that ever breathed. As men they have been deprived of the common rights of British subjects, under the pretext that they were incapable of enjoying them; which pretext had no other foundation than their resistance of oppression, only the more severe by being sanctioned by the laws *England first denied them the means of improvement; and then insulted them with the imputation of barbarism.*"

While on the point of closing this page, I have been furnished with a noble effusion on this subject, from very high authority. Its sterling merits, and its justice towards the nation I have dared to vindicate, will warrant its insertion, and amply compensate the perusal.

***** "A dependency of Great Britain, *England has long languished under oppressions reproved by humanity, and discountenanced by just policy*. It would argue penury of human feeling and ignorance of human rights, *to submit patiently to those oppressions*. Centuries have witnessed the struggles of Ireland—but with only partial success. Rebellions and insurrections have continued with but short intervals of tranquility. Many of the Irish, like the French, are the hereditary foes of Great Britain. *America has opened her arms to the oppressed of all nations*. No people have availed themselves of the asylum with more alacrity or in greater numbers than the Irish. *High is the meed of praise, rich the reward, which Irishmen have merited from the gratitude of America*. AS HEROES AND STATESMEN, THEY HONOUR THEIR ADOPTED COUNTRY."

The above sublime and correct tribute of praise, is extracted from the *Federal Republican*, of June 22, 1812,

* See pamphlet, entitled "The United States and England," p. 99.

and forms part of an unanimous address agreed to by the *federal* members of the legislature of Maryland, published in consequence of the Baltimore riots.

CHAP. XLI.

Address to the Federalists of the United States.

GENTLEMEN,

An attentive perusal of the preceding pages can, I hope, hardly have failed to place me beyond the suspicion of the despicable vice, flattery—and must give to my commendation at least the merit of sincerity.

After these introductory remarks, I make no scruple to declare my decided conviction, that in private life I know of no party, in ancient or modern history, more entitled to respect, to esteem, to regard, than the American federalists in general—in all the social relations of husbands, parents, brothers, children, and friends.—There are exceptions. But they are as few as apply to any body equally numerous. Political prejudice, or the widest difference of opinions, has never so far obscured my visual ray, as to prevent me from discerning, or my reasoning faculty from acknowledging this strong, this honourable truth—the more decisive in its nature, from being pronounced by a political opponent.

But, fellow citizens, after this frank declaration in your praise as to private life, and for private virtue, let me freely discuss your public conduct. Believe me I mean not to offend. I trust I shall not. I address you the words of truth. The crisis forbids the use of ceremony. I hope you will give the subject a serious consideration—and receive with indulgence what emanates from candor and friendship.

I believe there is not to be found in the widest range of history another instance of a party so enlightened, so intelligent, so respectable, and in private life so virtuous, yielding themselves up so blindly, so submissively, and with so complete an abandonment of the plainest dictates of reason and common sense, into the hands of leaders so undeserving of their confidence. In and after the days of Washington, you stood on a proud eminence—on high and commanding ground. You were the friends of order and good government. You were tremblingly alive to the honour of your country. You identified it with your own. But it is difficult to find a more remarkable change in the conduct of any body of men than has taken place with your leaders. The mind can hardly conceive a greater contrast than between a genuine Washingtonian federalist of 1790, 1. 2. 3. 4. 5. and 6, and the Bostonian, who, covered with the pretended mantle of Washington federalism, destroys the credit of his own government—and collects the metallic medium of the nation to foster the armies preparing to attack and lay it waste. Never were holy terms so prostituted. Washington from heaven looks down with indignation at such a vile perversion of the authority of his name.

Let me request your attention to a few facts—and to reflections and queries, resulting from them—

I. Your proceedings and your views are eulogized in Montreal, Quebec, Halifax, London and Liverpool. The Courier, and the Times, and the Morning Chronicle, and the Ledger, and the London Evening Post, and all the government papers are loud and uniform in your praise. ¶ *This is an awful fact*, and ought to make you pause in your career.

II ¶ *Your party rises as your country sinks. ¶ It sinks as your country rises* This is another awful fact. It cannot fail to rend the heart of every public spirited man among you. For the love of the God of peace—by the shade of Washington, by that country that contains all you hold dear. I adjure you to weigh well this sentence—

☞ *you sink as your country rises.* Yes, it is indubitably so. It is a terrific and appalling truth. And ☞ *you rise as that desponding, lacerated, perishing, betrayed country sinks.* "I would rather be a dog and bay the moon," than stand in this odious predicament.

III. Had there been two or three surrenders like General Hull's—had Copenhagenism befallen New-York, or Philadelphia, or Baltimore, or Charleston—or had our Constitutions, and United States, and Presidents, and Constellations, and our Porters, and Decatur's, and Bainbridges, and Perrys, and Hulls been sunk or carried into Halifax, your leaders would have been crowned with complete success. They would have been wafted on a spring-tide to that power which is "the God of their idolatry." ☞ *Every event that sheds lustre on the arms of America is to them a defeat.* It removes to a distance the prize to which their eyes and efforts are directed. ☞ *But every circumstance that entails disgrace or distress on the country, whether it be bankruptcy, defeat, treachery, or cowardice, is auspicious to their views.*

IV. ☞ *Never has the sun in his glorious course, beheld so estimable, so respectable, so enlightened a party as you are, in the frightful situation, in which the ambition of your leaders, and your own tame, thoughtless, inexplicable acquiescence, have placed you.*

V. By fulminations from the pulpit—by denunciations from the press—☞ *by a profuse use of British government bills*—by unusual, unnecessary, hostile and oppressive drafts for specie on the New-York Banks—and by various other unholy, treasonable, and wicked means, the leaders of your party in Boston have reduced the government to temporary bankruptcy—have produced the same effect on our banks—have depreciated the stocks and almost every species of property from 10 to 30 per cent.

VI. These treasonable operations have served the cause of England more effectually, than lord Wellington could have done with 30,000 of his bravest troops. They have produced incalculable, and to many remediless distresses.

VII. ¶ *After having thus treasonably destroyed the credit of the government, one of their strongest accusations is, that it is bankrupt.**

VIII. With equal justice might a man who ties another neck and heels, and gags him, blow out his brains for not singing Yankee doodle, or dancing a faraband, as those who produce bankruptcy inculcate the bankrupt with his forlorn and desperate circumstances.

IX. There is no other country in the world, where these proceedings would not be punished severely—in many capitally. Their guilt is enormous, clear, and indisputable. They strike at the safety and even the existence of society.

X. By the sedition law† enacted by some of these very men, and their followers, heavy fines and tedious imprisonment were awarded against offences incomparably inferior.

XI. While you support leaders, whose career is so iniquitous, were you in private life as pure as archangels, you partake largely of the guilt of those whom you uphold; whose power of destruction depends on your support; and who would sink into insignificance, but for your countenance.

XII. If the pretext, or even the strong belief, on the part of a minority, that a war, or any other measure is unjust, can warrant such a jacobinical, seditious, and treasonable opposition as the present war has experienced, no government can exist. The minority in all countries, uniformly denounce all the measures they have opposed, as unjust, wicked, unholy or unconstitutional—or all united.

XIII. The most unerring characteristic of a desperate

* It is impossible for language to convey the contempt and abhorrence that are earned by some of the canting, whining speeches delivered in congress on the bankruptcy of the government by men who were deeply guilty of producing it—whose treasonable efforts have been crowned with success—who have largely contributed to blast the most cheering prospects that heaven ever vouchsafed to accord any of the human race. The tears thus shed, are exactly typified by those that so plentifully fall from the voracious crocodile over the prey he is going to devour.

† See page 27.

faction is *an uniform opposition to all the measures proposed by its opponents, whether good or bad, and without offering substitutes.* The more dangerous the crisis, and the more necessary the measures, the more infallible the criterion.

XIV. This characteristic exactly and most indisputably applies to your leaders. The country is on the brink of perdition. Yet they have opposed and defeated every measure devised for our salvation. They appear determined to deliver us tied hand and foot into the power of the enemy, unless they can seize the reins of government.

XV. You profess to be disciples of Washington. The title is a glorious one. Let us test the practices of your leaders, by the holy maxims of Washington. He raised his voice against—warned you to shun—and pronounced the strongest condemnation upon

1. All obstructions, of what kind soever, to the execution of the laws ;
2. All combinations to direct, controul, or awe the constituted authorities ;
3. All insidious efforts to *excite hostility between the different sections of the union ;*
4. And in the most emphatical manner, *all attempts to dissolve the union.*

XVI. But the leaders of your party, particularly in Boston, have

1. Openly obstructed the execution of the laws :—
2. Have combined to controul the constituted authorities ;
3. Have actually excited as dire hostility against the southern states in the breasts of those under their influence in the eastern, as exists between France and England.

And 4. Have been constantly endeavouring by a series of the most inflammatory and violent publications to *prepare the eastern people for a dissolution of the union.*

XVII. In fine, all the steps they take and their whole

course of proceedings are in direct hostility with the creed, the advice, and the practice of Washington.

XVIII. While you follow such leaders, you may profess to be disciples of Washington, but an impartial world will reject your claim.

XIX. Suppose the leaders at Washington succeed in driving Mr. Madison and the other public functionaries from office, and seize the reins of government themselves, what a melancholy, disgraceful triumph it would be, to raise your party on the ruins of your form of government?

XX. Such an usurpation cannot fail to produce civil war.

XXI. If your party set the example of such atrocious violence, can you persuade yourselves that "*the poisoned chalice*" will not, at no very distant period, be returned to your own lips?

XXII. You profess to desire peace. I firmly believe you do. But are divisions, and distractions, and envenomed factions, and threatened insurrections, the seed to sow for a harvest of peace?

XXIII. All the seditious and treasonable measures adopted in Boston and elsewhere, to harass, cripple, and embarrass your government, have had, previous to the war, an inevitable tendency to enable Great Britain to regulate, controul, and restrict your commerce—and to set at defiance all the attempts to procure redress—and since the war, their tendency has been to prolong its ravages.

XXIV. Are you prepared—can you reconcile yourselves to incur all the risk—to suffer all the ruin that a revolution will infallibly produce, to enable Rufus King, Timothy Pickens, Christopher Gore, Cyrus King, and Daniel Webster, to seize the reins of government, and exile "*to Elba*"—or execute with Cyrus King's celebrated "*halter*" your venerable first magistrate? Suppose they succeed, what will be the advantage to you individually?

I plead not, fellow-citizens, for democracy—I plead not for federalism. Their differences have sunk into utter insignificance. Were the contest between them, I should not have foiled a single sheet of paper. I plead against jacobinism—I plead against faction—I plead against attempts to “overawe and controul the constituted authorities.” I plead the cause of order—of government—of civil and religious liberty. I plead for the best constitution the world ever saw—I plead for your own honour as a party, ~~for~~ *which is in the utmost jeopardy.* I plead for your bleeding country which lies prostrate and defenceless, pierced with a thousand wounds—I plead for your aged parents, for your tender children, for your beloved wives, for your posterity whose fate depends upon your conduct at this momentous crisis. I plead for your estates which are going to ruin. All, all, loudly implore you to withdraw your support from those who are leagued for their destruction, and who make you instruments to accomplish their unholy purposes. You are on the verge of a gaping-vortex, ready to swallow up yourselves and your devoted country. To advance a single step may be inevitable perdition. To the right about. It is the path to honour, to safety, to glory. Aid in extricating your country from danger. And then if you select calm, and dispassionate, and moderate candidates for public office, there can be no doubt of your success. I am firmly persuaded that nothing but the intemperate and unholy violence of your leaders has prevented you from having that share of influence in the councils of the nation to which your wealth, your numbers, your talents, and your virtues give you so fair a claim.

The constitution may be imperfect. Every thing human partakes of human infirmity and human error. It has provided a proper mode of amendment. As soon as peace is restored, and the fermentation of public passions has subsided, let the real or supposed defects be brought fairly forward and submitted to the legislatures, or to a convention, as may be judged proper. But while the

vessel of state is on rocks and quicksands, let us not madly spend the time, which ought to be devoted to secure her salvation and ours, in the absurd and ill timed attempt to amend---in other words to destroy---the charter party under which she sails.

May the Almighty Disposer of events inflame your hearts---enlighten your understanding---and direct you in the proper course to steer at this momentous crisis! And may he extend to our common country that gracious blessing which brought her safely through one revolution, without entailing on us the frightful curses inseparable from another!

POSTSCRIPT.

January 9, 1815.

As the apprehensions on the subject of the dissolution of the union, which are repeatedly expressed in this book, and which have led to its publication, are treated by many as chimerical---and as the result of the Hartford convention, just published, appears to countenance the idea that the danger is overrated, the writer, in justification of his fears, simply states, that even admitting that the leading men to the eastward do not contemplate a dissolution of the union, it does not by any means follow that we are safe from such an event, while the public passions are so constantly excited, and kept in such a high state of fermentation. It is an easy process to raise commotions, and provoke seditions. But to allay them is always arduous---often impossible. Ten men may create an insurrection---which one hundred of equal talents and influence may be utterly unable to suppress. The weapon of popular discontent, easily wielded at the outset, becomes, after it has arrived at maturity, too potent for the feeble grasp of the agents, by whom it has been called into existence. It hurls them and those against whom it was first employed, into the same profound abyss of misery and

destruction. Whoever requires illustration of this theory, has only to open any page of the history of France from the era of the national convention till the commencement of the reign of Bonaparte.

The style of a portion of the writing that appears in some of our papers, will justify the author from the charge of insanity, in the apprehensions he entertains on this subject. E. g.

"On or before the 4th of July, if James Madison is not out of office, a new form of government will be in operation in the eastern section of the union. Instantly after, the contest in many of the states will be whether to adhere to the old, or join the new government. Like every thing else foretold years ago, and which is verified every day, this warning will be also ridiculed as visionary. Be it so. But Mr. Madison cannot complete his term of service, if the war continues. It is not possible, and if he knew human nature he would see it." Federal Republic, November 7, 1814

"Is there a federalist, a patriot in America, who conceives it his duty to shed his blood for Bonaparte, for Madison, for Jefferson, and that HOST OF RUFFIANS in congress, who have set their faces against US for years, and spirited up the BRUTAL PART OF THE POPULACE to destroy us? Not one—Shall we then any longer be held in slavery, and driven to desperate poverty, by such a graceless faction?—Heaven forbid." Boston Gazette.

THE END.

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